

Practical Guide on Family Tracing

2nd edition



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April 2025

On 19 January 2022, the European Asylum Support Office (EASO) became the European Union Agency for Asylum (EUAA). All references to EASO, EASO products and bodies should be understood as references to the EUAA.

Disclaimer

This guide was prepared without prejudice to the principle that only the Court of Justice of the European Union can give an authoritative interpretation of EU law.

The decision to grant or deny international protection should never be based on the results of the family tracing efforts of the EU authorities.



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About the guide

Why was this guide created? The mission of the European Union Agency for Asylum (EUAA) is to facilitate and support the activities of EU Member States and the Schengen associated countries (EU+ countries) ⁽¹⁾ in the implementation of the Common European Asylum System (CEAS). According to its overall aim to promote a correct and effective implementation of the CEAS and to enable convergence, the EUAA develops common operational standards and indicators, guidelines and practical tools.

The legal instruments forming the CEAS set out the obligation for Member States of the European Union to trace the family members of adult and unaccompanied children applicants for international protection. With the entry into force of the Pact on Migration and Asylum ⁽²⁾, the EUAA is mandated to review and align its operational standards, indicators, guidelines and training protocols to the CEAS. Article 22 of Regulation (EU) 2024/1351 (AMMR) ⁽³⁾ specifically emphasises the EUAA's responsibility to develop templates and guidance for family tracing, which are crucial for the effective application of family-related criteria within the responsibility determination mechanism.

To support EU+ countries in their obligations to initiate family tracing, the EUAA's 2016 practical guide on family tracing ⁽⁴⁾ has been updated to ensure alignment with the new legal framework and to enhance its efficacy in facilitating timely and accurate reunification efforts within the asylum process.

[Part I](#) of this guide provides a comprehensive approach to family tracing for applicants for international protection, focusing on the processes involved in reconnecting separated family members. It covers family tracing to be conducted within the EU+ and third countries.

[Part II](#) of this guide serves as a valuable resource for practitioners working in tracing or identifying family members in the context of responsibility determination for examining an application for international protection. By supporting the authorities in establishing appropriate procedures, identifying necessary resources and process planning, the guide can contribute to the prioritisation and early detection of potential family cases. It can ultimately contribute to improved family reunification procedures in the EU+ countries. While the guide outlines the key aspects of family tracing in the AMMR, it does not delve into the specifics of the decision-making process.

How was this guide developed? [Part I](#) was created by experts from across the EU, with valuable input from the European Commission, the United Nations High Commissioner for

⁽¹⁾ The 27 EU Member States, complemented by Iceland, Liechtenstein, Norway and Switzerland.

⁽²⁾ European Commission, Directorate-General for Migration and Home Affairs, 'Pact on Migration and Asylum', European Commission website, 21 May 2024, accessed 17 January 2025, https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum_en.

⁽³⁾ [Regulation \(EU\) 2024/1351](#) of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024).

⁽⁴⁾ EASO, [Practical Guide on Family Tracing](#), March 2016.



Refugees and UN Children's Fund (UNICEF). The development was facilitated and coordinated by the EUAA. Before its finalisation, a consultation on the guide was carried out with all EU+ countries through the EUAA VEN Network. The EUAA would like to extend its thanks to the members of the working group who reviewed and supported the drafting of this guide: Kristina Korsch (Germany), Loraine Buhagiar Bartolo (Malta), Evita Armouti (Red Cross EU Office ⁽⁵⁾) and the youth care organisation Nidos ⁽⁶⁾.

Part II was drafted by the EUAA with a working group of experts from Dublin Units across Europe, notably Vicky Fotou (Greece), Kristina Korsch (Germany), Franc Kumer (Slovenia), Jan-Jouke Mulder (the Netherlands), Matteo Tedde (Italy) and Arune Wallin (Sweden). Organisations involved with family tracing were also contacted for input as part of the reference group, including the Red Cross EU Office and Safe Passage, as well as the United Nations High Commissioner for Refugees ⁽⁷⁾. The European Commission also contributed with initial input and participated in the consultations. The EUAA facilitated and coordinated the development. Before its finalisation, the document was shared with all EU+ countries through the EUAA Dublin Network. The guides were adopted by the EUAA Management Board in April 2025.

Who should use this guide? This guide primarily targets staff members working in family tracing or family reunification cases, child protection officers, guardians ⁽⁸⁾, asylum practitioners, interviewers and decision-makers. It also targets policy officers, managers and senior advisors to support them in designing workflows and improving internal processes. In addition, this guidance targets personnel who may be able to identify potential family reunification cases, such as first-contact officials, staff involved with screening, registration staff, immigration police and reception officers. Additionally, this tool is useful for quality officers as well as any other person working or involved in the field of international protection in the EU context. Case officers at AMMR Units and legal counsellors are also in the target audience of this guidance.

How to use this guide. This is a reference document for professionals working in the area of family tracing.

Part I includes comprehensive guidance, covering family tracing both in the EU+ and in third countries. It is structured into 3 chapters covering the legal framework, the family tracing process in practical terms and an overview of best practices and methods applied. This guidance should be read in conjunction with Part II.

Part II consists of a general introduction to family reunification according to the AMMR, including the key definitions. The steps it describes represent the general workflow of family tracing within the context of responsibility determination. It is nonetheless acknowledged that

⁽⁵⁾ Note that the finalised guidance does not necessarily reflect the position of Red Cross EU Office and its members.

⁽⁶⁾ Nidos, 'Nidos and Europe', Nidos in Europe website, undated, accessed 4 November 2024, <https://nidosineurope.eu/>.

⁽⁷⁾ Note that the finalised guidance does not necessarily reflect the position of UNHCR.

⁽⁸⁾ EU law uses both 'guardian' and 'representative' to describe the individual appointed to assist and support unaccompanied children or those children whose parents cannot exercise parental rights. The terms are often used interchangeably. Regardless of the terminology, the intended meaning remains the same. See the Terminology box for more details.





there might be differences in the way the procedure is organised in each EU+ country. The annexes and tables aim to facilitate the practical cooperation between the stakeholders involved. The document includes boxes with good practices, checklists and highlight key information. It should be read in conjunction with Part I.

The templates for family tracing ⁽⁹⁾ complement the use of the guidance.

How does this guide relate to national legislation and practice? This is a soft convergence tool aimed at promoting the harmonisation of the practices of EU+ countries in family tracing. It is not legally binding. It reflects commonly agreed standards and does not constitute a legal interpretation of any legal provisions or of any judgement. The guidance offers practical solutions to implement the family-related provisions in the legislation and proposes ways to organise the workflow. It also highlights good practices that could help mitigate certain challenges.

How does this guide relate to other EUAA tools? This second edition is applicable only from 1 July 2026. Before this date, and for any applications for international protection lodged before this date, the guide applicable is the EASO, [Practical Guide on Family Tracing](#), March 2016. This guide should be used in conjunction with other available practical guides and tools. All EUAA practical tools are publicly available online on the EUAA website: <https://euaa.europa.eu/practical-tools-and-guides>.

The EUAA practical guides, tools and judicial analyses to which this practical guide refers will be progressively updated between 2025 and 2027. The updates will align these publications with the legislative instruments of the Pact on Migration and Asylum. Once published, the updated publications will also be available online at the EUAA webpages listed directly above.

⁽⁹⁾ Refer to the EUAA, [Family Tracing Form – Adult](#), 2025 and the EUAA, [Family Tracing Form – Child](#), 2025.



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List of abbreviations

Abbreviation	Definition
AMMR	asylum and migration management regulation — Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 [the Dublin III regulation]
AMMR Unit	The EU+ country authority (the unit) responsible for conducting the procedure to determine the EU+ country responsible for examining an application for international protection in accordance with Article 52 AMMR.
APR	asylum procedure regulation — Regulation (EU) 2024/1348 of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU
BIA	best interests assessment
CEAS	Common European Asylum System
Charter	Charter of Fundamental Rights of the European Union
CJEU	Court of Justice of the European Union
CRC	United Nations Convention on the Rights of the Child
Dublin III regulation	Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 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 (recast)
EUAA	European Union Agency for Asylum
EU	European Union
EU+ countries	Member States of the European Union and the Schengen associated countries Iceland, Liechtenstein, Norway and Switzerland
Family reunification directive	Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification
ICRC	International Committee of the Red Cross
IHL	international humanitarian law
IGO(s)	intergovernmental organisation(s)





Abbreviation	Definition
Member States	Member States of the European Union
NGO(s)	non-governmental organisation(s)
OHCHR	Office of the High Commissioner for Human Rights
QR	qualification regulation — Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council
RCD (2024)	Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection
Refugee Convention	The 1951 Convention relating to the status of refugees and its 1967 Protocol (referred to in EU asylum legislation and by the CJEU as ‘the Geneva Convention’)
RFL	Restoring Family Links Network of the International Red Cross and Red Crescent Movement
Screening regulation	Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817
UNHCR	United Nations High Commissioner for Refugees





Terminology

The key terms related to family tracing used in this guide are defined below.

Making an application

Access to the common asylum procedure should be based on a three-step approach consisting of the making, registering and lodging of an application. Making an application is the first step that triggers the application of [Regulation (EU) 2024/1348 (APR)]⁽¹⁰⁾. A third-country national or stateless person is considered to have made an application when expressing a wish to receive international protection from a Member State. Where the application is received by an authority which is not responsible for registering applications, Member States should, in accordance with their internal procedures and organisation, apply [the APR] so that the effective access to the procedure can be ensured. It should be possible to express the wish to receive international protection from a Member State in any form, and the individual applicant need not necessarily use specific words such as ‘international protection’, ‘asylum’ or ‘subsidiary protection’. The defining element should be the expression by the third-country national or the stateless person of a fear of persecution or serious harm upon return to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence. Where there is doubt as to whether a certain declaration may be construed as an application for international protection, the third-country national or stateless person should be expressly asked whether he or she wishes to receive international protection.⁽¹¹⁾

Registering an application

An application should be registered promptly after it is made. At that stage, the competent authorities responsible for registering applications or experts deployed by the [EUAA] assisting them with that task should register the application together with the personal details of the applicant. Those authorities or experts should inform the applicant of his or her rights and obligations, as well as the consequences for the applicant in the event of non-compliance with those obligations. Organisations working with the competent authorities and assisting them should also be able to provide this information. The applicant should be given a document indicating that an application has been made and registered. The time limit for lodging an application starts to run from the moment an application is registered.⁽¹²⁾

⁽¹⁰⁾ [Regulation \(EU\) 2024/1348](#) of the European Parliament and of the Council of 14 May 2024 establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU (OJ L, 2024/1348, 22.5.2024).

⁽¹¹⁾ Recital 27 APR.

⁽¹²⁾ Recital 28 APR.



	Note: the time limit for the responsibility determination in family cases starts to run from the moment of the registration.
Lodging an application	<i>The lodging of the application is the act that formalises the application for international protection. The applicant should be given the necessary information as to how and where to lodge his or her application and he or she should be given an effective opportunity to do so. At this stage he or she is required to submit as soon as possible all the elements and documents at his or her disposal needed to substantiate and complete the application, unless otherwise provided for in this Regulation. The time limit for the administrative procedure starts to run from the moment an application is lodged. Shortly after the application is lodged, the applicant should be given a document which includes his or her status as an applicant.</i> ⁽¹³⁾
Child/minor	Any person below the age of 18. ‘Child’ and ‘minor’ are considered synonyms and both terms are used in this publication. The preferred EUAA term is ‘child’ though the term minor is used when it is explicitly used by a legal provision or specific article (e.g. the EU asylum <i>acquis</i> provisions).
Unaccompanied ⁽¹⁴⁾	A child/minor who arrives in the territory of an EU+ country, not accompanied by an adult responsible for them whether by law or by the practice of the state concerned and for as long as they are not effectively taken into the care of such a person/adult. It includes a child/minor who is left unaccompanied after they have entered the territory of an EU+ country ⁽¹⁵⁾ .
Separated child	A child who has been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. It may include children accompanied by other adult family members ⁽¹⁶⁾ .

⁽¹³⁾ Recital 29 APR.

⁽¹⁴⁾ Synonym of ‘unaccompanied minor’.

⁽¹⁵⁾ Article 3(7) APR; Article 2(11) of [Regulation \(EU\) 2024/1356](#) of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817 (OJ L, 2024/1356, 22.5.2024) (screening regulation); Article 2(5) of [Directive \(EU\) 2024/1346](#) of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection (OJ L, 2024/1346, 22.5.2024) (RCD (2024)); Article 3(11) of [Regulation \(EU\) 2024/1347](#) of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council (OJ L, 2024/1347, 22.5.2024) (QR); Article 2(11) of [Regulation \(EU\) 2024/1351](#) of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013 (OJ L, 2024/1351, 22.5.2024) (AMMR).

⁽¹⁶⁾ UN High Commissioner for Refugees (UNHCR), UN Children's Fund (UNICEF), [Safe & Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe](#), October 2014, p. 22.

Missing person

While there is no legal definition of a missing person under international law, the International Committee of the Red Cross (ICRC) understands missing persons as individuals of whom their families have no news and/or who, on the basis of reliable information, have been reported missing as a result of an armed conflict – international or non-international – or of other situations of violence or any other situation that might require action by a competent state authority. This definition includes persons missing in the context of migration. Furthermore, the definition does not presume that the person is dead. At the other end of the spectrum, a person is considered no longer missing when the family has received sufficient, reliable and credible information about their fate and whereabouts.

Guardian ⁽¹⁷⁾ / representative ⁽¹⁸⁾

In this guide, in accordance with the legislative framework, the terms ‘guardian’ and ‘representative’ are used interchangeably. Both refer to an independent individual responsible for safeguarding the child's best interests and overall well-being.

[A] person or an organisation appointed by the competent bodies in order to assist and represent an unaccompanied minor in procedures provided for in [the AMMR] with a view to ensuring the best interests of the child and exercising legal capacity for the minor where necessary ⁽¹⁹⁾.

⁽¹⁷⁾ In accordance with Article 3(18) QR:

‘guardian’ means a natural person or an organisation, including a public body, designated by the competent authorities to assist, represent and act on behalf of an unaccompanied minor, as applicable, in order to ensure that the unaccompanied minor can benefit from the rights and comply with the obligations under this Regulation, while safeguarding his or her best interests and general well-being.

In practice, the guardian has often been assimilated to the figure of the representative or social worker.

⁽¹⁸⁾ The term ‘representative’ is used in the RCD (2024), APR, AMMR, screening regulation and Eurodac III regulation respectively. Recital 25 screening regulation lays down:

A representative should be appointed to represent and assist the unaccompanied minor during the screening or, where a representative has not been appointed, a person trained to safeguard the best interests and general wellbeing of the minor should be designated.

Article 13 screening regulation further specifies: ‘The representative shall have the necessary skills and expertise, including regarding the treatment and specific needs of minors. Similar mentions occur in Article 23 APR and Article 2(13) RCD (2024):

‘representative’ means a natural person or an organisation, including a public authority, appointed by the competent authorities, with the necessary skills and expertise, including with regard to the treatment and specific needs of minors, to represent, assist and act on behalf of an unaccompanied minor, as applicable, in order to safeguard the best interests and general well-being of that unaccompanied minor.

Article 2 AMMR defines representative as:

a person or an organisation appointed by the competent bodies in order to assist and represent an unaccompanied minor in procedures provided for in this Regulation with a view to ensuring the best interests of the child and exercising legal capacity for the minor where necessary.

The term ‘guardian’ is used in the context of the QR (see fn. 17). According to the respective definitions, they will have the same role but different tasks. However, for the sake of ensuring the continuity of the representation of the unaccompanied minor, the guardian in the context of the QR can be the same person as the representative appointed in the context of the RCD (2024) and the APR.

⁽¹⁹⁾ Article 2(12) and Article 23(2)(a) AMMR.

EU asylum <i>acquis</i>	It consists of the following set of EU legal instruments: Council Directive 2001/55/EC ⁽²⁰⁾ , RCD (2024), QR, APR, Regulation (EU) 2024/1350 ⁽²¹⁾ , AMMR, screening regulation, Regulation (EU) 2024/1349 ⁽²²⁾ , Regulation (EU) 2024/1358 (Eurodac III regulation) ⁽²³⁾ and Regulation (EU) 2024/1359 ⁽²⁴⁾ .
Family tracing	The search for family members (including relatives or former caregivers, if unaccompanied children or separated children) with the intention of the restoration of family links and family reunification where in the best interests of the child. In this guide, family tracing and identification of family members are used interchangeably.

Family member

The AMMR ⁽²⁵⁾ and RCD ⁽²⁶⁾ provide specific definitions of family members, which are crucial for legal and administrative purposes. Understanding these definitions helps in aligning the support and reunification efforts within the regulatory framework.

In accordance with the AMMR, applicants can reunite with a ‘family member’ who is legally present in another EU+ country, irrespective of whether the family was formed in the country of origin or outside the country of origin, as long as it was formed before their arrival to the territory of the EU+ country. In the case of an unaccompanied child, the best interests of the child should always be considered in a potential family reunification case. The AMMR defines the different family members, as explained below.

Wife, husband, or partner	The spouse of the applicant or their unmarried partner in a stable relationship ‘where the law or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to third-country nationals’ (Article 2(8)(a) AMMR).
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⁽²⁰⁾ [Council Directive 2001/55/EC](#) of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001).

⁽²¹⁾ [Regulation \(EU\) 2024/1350](#) of the European parliament and of the council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation (EU) 2021/1147 (OJ L, 2024/1350, 22.5.2024).

⁽²²⁾ [Regulation \(EU\) 2024/1349](#) of the European Parliament and of the Council of 14 May 2024 establishing a return border procedure, and amending Regulation (EU) 2021/1148 (OJ L, 2024/1349, 22.5.2024).

⁽²³⁾ [Regulation \(EU\) 2024/1358](#) of the European Parliament and of the Council of 14 May 2024 on the establishment of ‘Eurodac’ for the comparison of biometric data in order to effectively apply Regulations (EU) 2024/1351 and (EU) 2024/1350 of the European Parliament and of the Council and Council Directive 2001/55/EC and to identify illegally staying third-country nationals and stateless persons and on requests for the comparison with Eurodac data by Member States’ law enforcement authorities and Europol for law enforcement purposes, amending Regulations (EU) 2018/1240 and (EU) 2019/818 of the European Parliament and of the Council and repealing Regulation (EU) No 603/2013 of the European Parliament and of the Council.

⁽²⁴⁾ [Regulation \(EU\) 2024/1359](#) of the European Parliament and of the Council of 14 May 2024 addressing situations of crisis and force majeure in the field of migration and asylum and amending Regulation (EU) 2021/1147 (OJ L, 2024/1359, 22.5.2024).

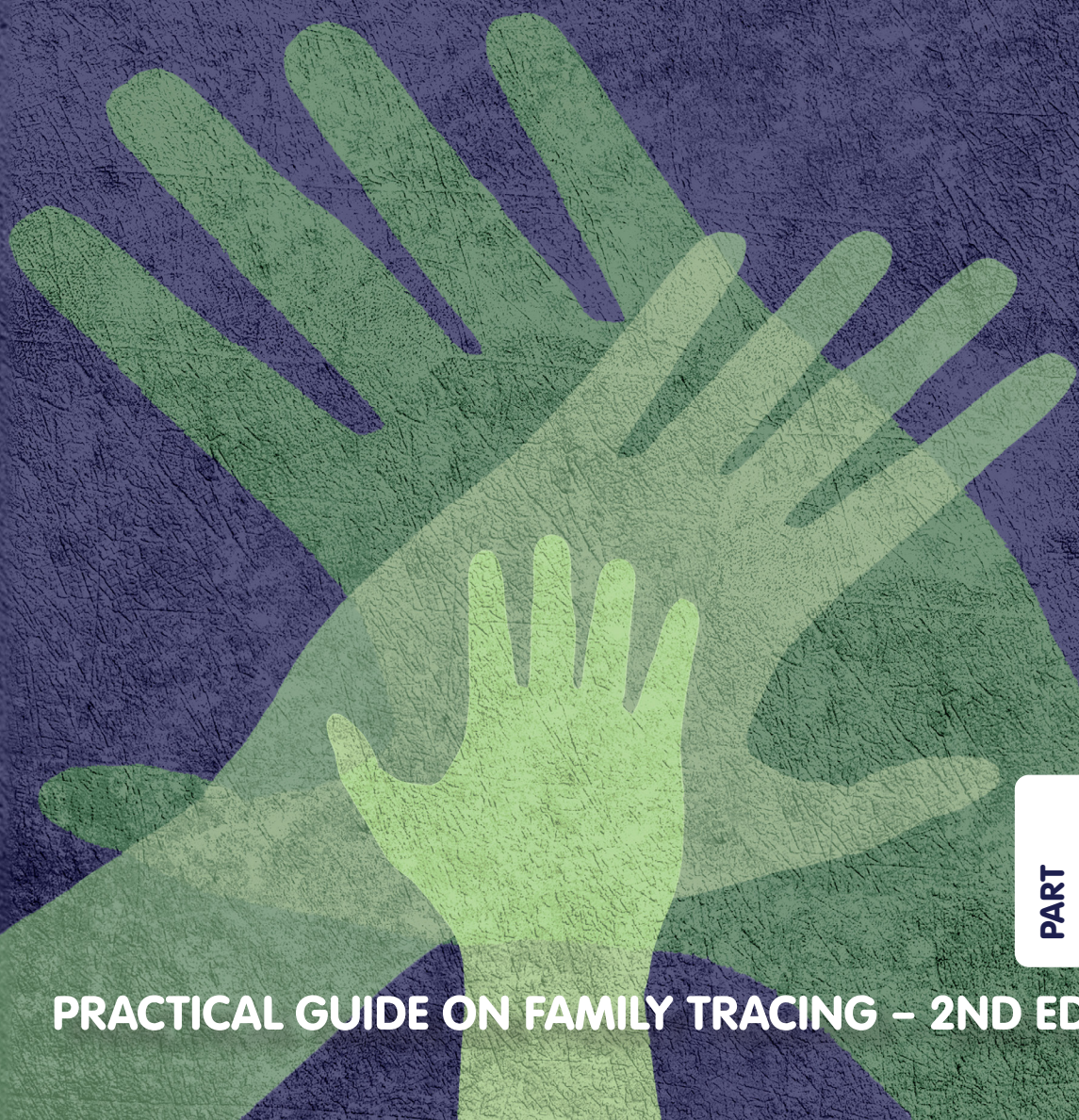
⁽²⁵⁾ Article 2(8) AMMR.

⁽²⁶⁾ Article 2(3) RCD (2024).

Minor child of abovementioned couples	(Unmarried) child of married or unmarried couples or of the applicant 'regardless of whether they were born in or out of wedlock or adopted as defined under national law' (Article 2(8)(b) AMMR).
Father, mother or another adult responsible for the child	When the applicant, or the beneficiary of international protection is a child and unmarried, the father, mother or another adult responsible for the child, 'whether by law or by the practice of the Member State where the adult is present' or 'where the beneficiary is present' (Article 2(8)(c) AMMR).
Relative	A relative is not an immediate family member but a person with whom an unaccompanied child may have a link and with whom the child can be reunited if that is in the child's best interests. Article 2(9) AMMR defines it as 'the applicant's adult aunt or uncle or grandparent who is present in the territory of a Member State, regardless of whether the applicant was born in or out of wedlock or adopted as defined under national law'.
Sibling	The term is not defined in the AMMR. EU+ countries may have their own definitions in national law. An unaccompanied child could be reunited with a sibling in another Member State if it is in the child's best interests. Typically, a sibling is considered a brother or sister who shares at least one parent with the individual.
Relationship of dependency	The relationship of dependency is a binding responsibility criterion under the AMMR ⁽²⁷⁾ . A relationship of dependency exists when the applicant depends on the assistance of their child, sibling or parent legally residing in a Member State, or when the applicant's child, sibling, or parent is legally present in a Member State and depends on the applicant. Dependency can arise due to pregnancy, having a newborn child, serious mental or physical illness, severe disability, severe psychological trauma or old age.

⁽²⁷⁾ Article 34 AMMR.

Principles and practices on family tracing in the EU+ and third countries



PART

1

PRACTICAL GUIDE ON FAMILY TRACING – 2ND EDITION

Part I – Principles and practices on family tracing in the EU+ and third countries

April 2025



1. Ensuring family unity and children's rights

In the migration context, family separation can occur under various circumstances, including before fleeing a country, during migration journeys or after arrival in the destination country. This separation may also happen to unaccompanied children seeking international protection and persons with vulnerabilities. This section explores the necessity of family tracing and its role in upholding the rights of international protection applicants, with a focus on unaccompanied children and dependent adults ⁽²⁸⁾.

1.1. Family tracing – legal frameworks

1.1.1. International legal framework

Family tracing is essential due to the obligation of EU+ countries to respect the right to family life and maintain family unity, as outlined in EU law. These obligations are well established by international frameworks, including international humanitarian law (IHL) ⁽²⁹⁾ and international human rights law ⁽³⁰⁾. When undertaking family tracing for unaccompanied or separated children, it is crucial to ensure that Member States and the Schengen associated countries (EU+ countries) prioritise the child's right to family life and family unity. This obligation is derived from key legal instruments such as the United Nations Convention on the Rights of the Child (CRC) ⁽³¹⁾, which requires states to respect the child's right to maintain direct contact with their family unless it is contrary to their best interests.

Under IHL and international human rights law, states have three general obligations relating to missing persons and their families.

- To prevent people from going missing, including as a result of enforced disappearances. This includes, for instance, obligations related to preventing family separation and to ensuring contact between detainees and their families.
- To clarify the fate and whereabouts of missing persons, by taking all feasible measures to account for persons reported missing, for instance, and providing any information on their fate to their families.
- To investigate and prosecute international crimes, including war crimes under IHL, including those resulting in persons going missing. For instance, states must take appropriate measures to investigate acts of enforced disappearance and bring those

⁽²⁸⁾ Within the meaning of a relationship of dependency as detailed in Article 34 AMMR.

⁽²⁹⁾ International Committee of the Red Cross, '[What is international humanitarian law?](#)', March 2022.

⁽³⁰⁾ The Office of the High Commissioner for Human Rights of the United Nations (OHCHR), 'The Core International Human Rights Instruments and their monitoring bodies,' OHCHR website, accessed 4 November 2024, <https://www.ohchr.org/en/core-international-human-rights-instruments-and-their-monitoring-bodies>.

⁽³¹⁾ Article 9(1) UN General Assembly, '[Convention on the Rights of the Child](#)', 20 November 1989, United Nations, Treaty Series, vol. 1577, p. 3.



responsible to justice and to inform families about the development of these processes.

The human rights law treaties do not contain any detailed provisions dealing specifically with missing persons and their families (other than in relation to enforced disappearance). Several provisions contained in these treaties however have been interpreted by UN treaty bodies ⁽³²⁾ and regional courts as giving rise to state engagements relevant to missing persons.

Under international human rights law, states can be held responsible for interference with the right to life or the right to private and family life. They can also be held responsible for violations of the prohibition of torture, cruel, inhuman or degrading treatment or punishment or enforced disappearance. States must therefore make every effort to prevent people from going missing, to clarify their fate and whereabouts when they do and to deal with the consequences of such events, including to support the identification of dead bodies and remains. Moreover, the need for family tracing is also linked to the humanitarian imperative to alleviate human suffering. Family separation can have a severe impact on the well-being, psychological and physical state of the persons concerned. It can also be a source of additional risks especially for people with special protection needs (e.g. children, elderly, persons with disabilities or health conditions, etc.).

International organisations and academic experts have highlighted the psychological toll on families awaiting news about their missing loved ones. Many experience ‘ambiguous loss’, a state of uncertainty that can have profound psychological and social consequences, potentially leading to conditions such as depression, alcoholism or other illnesses. This issue should be recognised as a significant public health concern ⁽³³⁾.

Additionally, under IHL, particularly the Geneva Conventions ⁽³⁴⁾, parties have several key obligations.

The **prevention of missing persons**: measures must be taken to prevent individuals from going missing, including maintaining family unity and facilitating communication.

The **obligation to clarify of fate and whereabouts**: states must provide information about the fate and whereabouts of missing persons to their families.

Investigation and accountability: war crimes, including enforced disappearances, must be investigated and prosecuted.

The EU asylum *acquis* is one of the areas where this commitment has been reinforced with the pact legislation introducing additional safeguards for unaccompanied children who have

⁽³²⁾ UN General Assembly, [International Convention for the Protection of All Persons from Enforced Disappearance](#), A/72/280, 3 August 2017.

⁽³³⁾ ICRC, [‘Missing persons and their families – Legal Factsheet’](#), December 2023; D. Mazzarelli et al, [‘Ambiguous loss in the current migration crisis: A medico-legal, psychological, and psychiatric perspective’](#), *Forensic Science International: Mind and Law*, Volume 2, 2021, 100064, ISSN 2666-3538.

⁽³⁴⁾ The Geneva Conventions and their Commentaries are detailed in the ICRC website, accessed 22 January 2025, <https://www.icrc.org/en/law-and-policy/geneva-conventions-and-their-commentaries>.



applied for international protection. One of the areas where special attention and dedicated responses are required is family tracing.

1.1.2. EU legal frameworks and family tracing

The EU adheres to international obligations concerning children's rights through various legal instruments.

- The **Charter of Fundamental Rights of the European Union** (the Charter) ⁽³⁵⁾, specifically Article 24, safeguards children's rights to protection, care and family unity, asserting that the best interests of the child must be a primary consideration in all actions involving them.
- Article 8 of the **European Convention on Human Rights** ⁽³⁶⁾ further enshrines the protection of family life.
- The **Common European Asylum System** (CEAS) includes recent reforms that highlight the importance of family tracing, especially for unaccompanied minors. The AMMR requires Member States to identify and trace the family members of applicants seeking international protection.
- In the context of family tracing, the EU emphasises several key measures and rights. The **right to identity and family unity** ensures that individuals have the opportunity to know and be cared for by their families. The **right to family reunification** focuses on facilitating swift and humane processes to reunite families, particularly in cases involving children and unaccompanied minors. The **best interests of the child** must always be the primary consideration. Additionally, the **right to information and protection** mandates that states provide information about the fate of missing persons and ensure their protection.

In line with these principles, Member States must undertake active and diligent efforts to trace family members, ensuring that the child's best interests are always central to the process.

1.1.3. The reform of the Common European Asylum System: the Pact on Migration and Asylum

The Pact on Migration and Asylum reforming the CEAS entered into force in June 2024 and will enter into application on 11 June 2026. The aim of the pact is to set new rules to manage migration and to establish a common asylum system in the EU.

The legislative acts of the pact are built on four main pillars:

- keeping the external borders of the EU secure;
- ensuring fast and efficient procedures within the EU+;
- putting in place an effective system of responsibility and solidarity;
- embedding migration in international partnerships.

⁽³⁵⁾ European Union, [Charter of Fundamental Rights of the European Union](#), 26 October 2012, 2012/C 326/02.

⁽³⁶⁾ Council of Europe, [European Convention on Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14](#), ETS 5, 4 November 1950.



Overall, the Pact on Migration and Asylum aims to create a more coordinated and humane asylum system, balancing the need for security and control with the protection of fundamental rights, particularly for vulnerable groups like unaccompanied children and families.

1.1.4. Family tracing obligations

With the new EU asylum *acquis*, family tracing has become an obligation for the Member States.

Early initiation of family tracing

Family tracing should commence **as early as possible**, ideally during the initial screening at the external border. Early identification of potential family reunification cases allows for timely completion of the tracing template and information collection, aligning with the obligation on EU+ countries to prioritise family-related cases in the responsibility determination procedure.

Information provision

Applicants **should be informed** about family tracing possibilities, including details on family unity provisions in the AMMR, the right to request and receive the family tracing template and the entities that can assist in completing it. They should also be informed about national and international organisations that facilitate family member identification and tracing ⁽³⁷⁾.

Personal interview

Applicants must receive **information about the personal interview process**, particularly the requirement to submit information relevant to establishing the responsible EU+ country ⁽³⁸⁾. This includes any details that could help identify the presence of family members, relatives, or other connections in EU+ countries. Additionally, applicants should be informed about the means to submit such information and the assistance available from the EU+ country regarding family tracing.



Key considerations and obligations under the Pact on Asylum and Migration

Emphasis on family reunification. Greater emphasis should be placed on exploring family links and the whereabouts of family members at all stages of the procedure to avoid excessive waiting times and ensure comprehensive case evaluations.

Prioritisation of family reunification cases. Both requesting and requested EU+ countries should prioritise family reunification cases throughout the procedure to shorten waiting times and thoroughly explore all case elements.

Early detection and referral. A procedure should be in place for early detection of potential family reunification cases, allowing for swift identification and referral to the AMMR Unit to expedite the process.

Information provision. Applicants should be informed of the importance of sharing information regarding family members to facilitate reunification. Authorities must ensure that

⁽³⁷⁾ Article 19(f) AMMR.

⁽³⁸⁾ Article 19(g) AMMR.



applicants understand the need for timely and accurate information sharing throughout the procedure.

Proactive approach. Information providers, interviewers, case officers, representatives and applicants should take a proactive approach in family reunification cases. This involves actively seeking and encouraging the presentation of information on family members and reunification possibilities.

Legal counselling. Member States must provide applicants with access to legal counselling to support them through the family reunification process, ensuring that they understand their rights and obligations and have informed guidance on their cases.

Cooperation among authorities and organisations. EU+ country authorities and relevant organisations must collaborate to locate and identify family members of applicants in EU+ countries. This cooperation ensures all aspects of a case are explored and all views considered for an informed decision. This clearly includes the involvement of family tracing organisations ⁽³⁹⁾.

Resource allocation. Effective family tracing procedures require sufficient human, material and financial resources within the authorities. Trained staff, along with the necessary resources and tools, are crucial for safeguarding procedural and fundamental rights and ensuring swift family reunification processes.

The AMMR

A central component of the pact is the AMMR, replacing Regulation (EU) No 604/2013 ⁽⁴⁰⁾. You can read more about the AMMR and family tracing in the responsibility determination context in [Part II](#).

The AMMR aims to balance clear rules on responsibility for applicants with mechanisms for solidarity among EU+ countries. The AMMR **prioritises family tracing**, reaffirming family links as the criterion of primary importance in determining the responsible Member State for processing applications for international protection ⁽⁴¹⁾. Under the AMMR ⁽⁴²⁾, applicants are **thoroughly informed about their rights** and the available processes, including the possibility of family reunification. The AMMR mandates the use of a **family tracing template** ⁽⁴³⁾ and a dedicated personal interview ⁽⁴⁴⁾. Moreover, applicants are entitled to **free legal counselling** ⁽⁴⁵⁾, ensuring they have access to informed legal guidance throughout the family reunification process. Member States are also required to support this tracing process, collaborating with national authorities and relevant international organisations.

⁽³⁹⁾ Article 23(3) AMMR.

⁽⁴⁰⁾ [Regulation \(EU\) No 604/2013](#) of the European Parliament and of the Council of 26 June 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 (recast) (OJ L 180, 29.6.2013).

⁽⁴¹⁾ Article 25 AMMR.

⁽⁴²⁾ Article 19 AMMR.

⁽⁴³⁾ Article 22 AMMR.

⁽⁴⁴⁾ Article 22 AMMR.

⁽⁴⁵⁾ Article 21 AMMR.





Family tracing template

For a detailed overview of the family tracing template, see [Part II](#). Instructions on how to fill it out can be found in the template.

Article 22 AMMR grants applicants the right to request and receive the family tracing template, which helps identify family links early in the application process. It is recommended that the template and related information are provided as soon as possible after making the application. Applicants for international protection with family members in the EU+ countries should fill in the template as soon as possible. A specific template is available for unaccompanied children to be filled in by the representative of the child.

The Eurodac III regulation

Data stored in the Eurodac system helps establish the identity of these children and assists EU+ countries in finding their family members or any connections they may have in other countries. Notably, biometric data can now be taken from children starting at the age of 6 (previously 14), while still excluding children below this age. Additionally, this data helps with tracing missing children, including for law enforcement purposes and complements other systems like the Schengen Information System ⁽⁴⁶⁾. Effective identification procedures are crucial for these processes ⁽⁴⁷⁾.

The screening regulation

The screening regulation plays a crucial role in the early stages of the asylum process. It mandates the collection of preliminary information upon an individual's entry into the EU, which is vital for identifying any immediate indicators of the need for family tracing. This initial data collection includes, among others, personal details, travel history and potential family connections within the EU, enabling authorities to quickly determine if there are grounds for family reunification efforts.

The screening regulation ensures that all relevant information is captured at the earliest opportunity, providing a foundation for further assessment and action under the AMMR framework. This early identification process is crucial for ensuring that family tracing needs are recognised and addressed promptly, helping to safeguard the welfare and rights of individuals, particularly vulnerable groups such as unaccompanied minors. When claims of family unity arise at the screening stage, border guards should promptly refer these cases to the relevant authorities so as to promptly register the application and refer the case to relevant authority, for example the AMMR Unit or the asylum procedure.

Specific deadlines for such referrals should be established to ensure timely follow-up, allowing family tracing needs to be recognised and addressed swiftly. This early identification and

⁽⁴⁶⁾ As established by [Regulation \(EU\) 2018/1862](#) of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU (OJ L 312, 7.12.2018).

⁽⁴⁷⁾ Recital 44 Eurodac III regulation.



referral process is essential to safeguard the well-being and rights of individuals, especially vulnerable groups such as unaccompanied minors and dependent adults.

The RCD (2024)

The RCD (2024), as part of the Pact on Migration and Asylum, includes key provisions to support family tracing and protect minors. In particular, it emphasises that the best interests of the child ⁽⁴⁸⁾ are paramount, requiring Member States to provide a standard of living conducive to the child's physical, mental, spiritual, moral and social development. This includes considering family reunification possibilities, ensuring the minor's well-being and social stability and safeguarding against risks such as violence or exploitation. Article 27 specifically addresses unaccompanied minors, mandating the appointment of a representative. The representative's role includes facilitating the tracing of family members, ensuring that minors are informed and supported throughout the process. The directive also mandates that Member States start family tracing as soon as possible, with appropriate confidentiality measures to protect the safety of the minor and their relatives ⁽⁴⁹⁾.



Article 27(10) RCD (2024)

Member States shall start tracing the members of the unaccompanied minor's family, where necessary with the assistance of international or other relevant organisations, as soon as possible after an application for international protection is made, whilst protecting the best interests of that unaccompanied minor. Where there is a possible threat to the life or integrity of the minor or the minor's close relatives, in particular if those relatives have remained in the country of origin, care must be taken to ensure that the collection, processing and circulation of information concerning those persons is undertaken on a confidential basis, so as to avoid jeopardising their safety



Procedures at the borders and family tracing

Regarding procedures at the borders and family tracing, the screening process plays a pivotal role.

Screening procedure

Information collection. In accordance with Article 17(1)(g) screening regulation, authorities must gather data on whether third-country nationals have family members in any Member State. For unaccompanied minors, special guarantees are provided ⁽⁵⁰⁾, ensuring that a trained representative or person supports the child during the screening in a child-friendly and understandable manner.

Initiation of tracing. Article 19(1)(f) AMMR states that applicants must be informed about family reunification options, including the right to request and receive a family tracing

⁽⁴⁸⁾ Article 26 RCD (2024).

⁽⁴⁹⁾ Article 27(10) RCD (2024).

⁽⁵⁰⁾ Article 13 screening regulation.



template. This process should begin as soon as possible. The information gathered should only be used for tracing purposes without negatively affecting the parties involved. The applicant should be informed of this guarantee.

Asylum border procedure

The asylum border procedure is applied to unaccompanied children if they pose a security threat ⁽⁵¹⁾. Family reunification criteria from the AMMR can be applied and Member States must promptly work to identify family members of unaccompanied minors, ensuring the child's best interests are prioritised ⁽⁵²⁾. International organisations may assist in tracing, with all actions respecting confidentiality and the protection of involved parties.

Where there are doubts about an individual's age, an age assessment may be needed. During this assessment, it is recommended that family tracing efforts may be temporarily paused until the individual's age is confirmed. Once the age is established, family tracing should resume promptly, ensuring adherence to relevant AMMR deadlines.

Staff handling cases involving unaccompanied minors must receive specialised training to address the specific needs of these children, ensuring proper application of regulations. It is essential to collect necessary information timely, as failing to do so can lead to missing crucial deadlines for family reunification under the AMMR ⁽⁵³⁾.

1.2. The purpose of family tracing

Family tracing serves several crucial purposes for all applicants, including unaccompanied minors, who are a particularly vulnerable group.

1. Firstly, it helps locate family members with whom the applicant wants to or should be reunited, whether within the EU+ or, if applicable, in third countries or countries of origin.
2. Secondly, it aims to restore and maintain contact between separated family members, provided all agree to it and it does not pose a danger to any of them, following a best interests determination when children are involved.
3. Thirdly, it facilitates family reunification when it is in the best interests of the individuals involved, again ensuring safety and mutual consent.

Unaccompanied children, due to their heightened vulnerability, are given special consideration under EU asylum policies, as outlined in the RCD (2024). This directive requires Member States to take all necessary steps to trace the family members ⁽⁵⁴⁾, while prioritising the best interests of the child ⁽⁵⁵⁾.

⁽⁵¹⁾ As specified in Article 53(1) APR.

⁽⁵²⁾ Article 23 APR.

⁽⁵³⁾ See [Part II](#).

⁽⁵⁴⁾ Article 27(10) RCD (2024).

⁽⁵⁵⁾ More information on the relevant legal framework in [Annex I. Legal framework – a focus on children's rights](#).



Furthermore, the results of family tracing and relevant information collected about the situation in the child's country of origin may be useful when determining the child's best interests, as stated in Article 22 CRC and in the Committee on the Rights of the Child's General Comment No 12:

Asylum-seeking children may also need effective family tracing and relevant information about the situation in their country of origin to determine their best interests. ⁽⁵⁶⁾

This information may enable relevant stakeholders to identify the child's individual needs and, depending on such needs, to elaborate and provide adequate and tailored protection and care, as well as to determine the best interests of the child based on their individual circumstances. Family tracing is also an integration tool in the host society because it ensures knowledge of background and the informal identification of the child. For example, it is very important to know the education and health background, quality of interpersonal relationships with parents and other relatives, history of abuse and/or domestic violence, socioeconomic situation of the family, health conditions of family members and local societal dimensions. Moreover, effective family tracing is also essential in preventing children from entering adoption or foster care when their biological parents are alive and wish to reunite with them, when it is in the best interests of the child.

The scope and method of family tracing may be different depending on whether it is undertaken for the purposes of determining the Member State responsible for an international protection claim in accordance with the AMMR or in the broader framework of the international protection procedure. The main differences between family tracing in the EU territory and in the country of origin or a third country are highlighted below.

	Family tracing for the purpose of family reunion inside the EU+	Family tracing in the country of origin or in third countries
Territorial scope	The family member may be in the territory of an EU+ country.	The family member may be in the child's country of origin or a third country.
Purpose	<ul style="list-style-type: none"> • Respect the best interests of the child. • Determine the Member State responsible for examining the application for international protection. • Reunite family members, siblings or relatives in a Member State territory. 	<ul style="list-style-type: none"> • Respect the best interests of the child. • Restore family links. • Reunite the child with their family member territory: <ul style="list-style-type: none"> ▪ in the EU host country; ▪ in the country of origin or in a third country.

⁽⁵⁶⁾ UN Committee on the Rights of the Child, [General comment No. 12 \(2009\): The right of the child to be heard](#), CRC/C/GC/12, 20 July 2009, paragraph 124.



Legal obligation	<ul style="list-style-type: none"> • Take into consideration and assess the best interests of the child. • Ensure that a qualified representative covers the tasks assigned by the AMMR ⁽⁵⁷⁾. • Identify family members, siblings or relatives ⁽⁵⁸⁾. • Submit a take charge request in the context of the AMMR once the Member State responsible is identified ⁽⁵⁹⁾. • Reunite family members, siblings or relatives provided that it is in the best interests of the child. 	<ul style="list-style-type: none"> • Take into consideration and assess the best interests of the child. • Start family tracing or continue the process when appropriate. • Ensure that a qualified representative represents/assists the child. • Assess the status of the child (to prepare for family reunification).
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It is important to understand that locating a child's family **does not necessarily result in family reunification**. Reunification may not always be possible or appropriate and the competent authorities must consider additional factors, particularly in cases of potential family reunification.

Children. In the case of children, the best interests principle must guide all decisions, and the child's right to be heard must be respected, giving appropriate weight to their views based on maturity. If a child or family member shows reluctance to restore links, the reasons should be carefully explored. Counselling — provided separately or jointly via telephone, video-link or other methods — can sometimes support restoring family links. However, should the child or family ultimately express a desire not to restore these links, their wishes should be respected ⁽⁶⁰⁾.

Adults. For adults, reunification requires consent and a demonstrated desire to be reunited, particularly in the case of spouses, who may also be eligible for reunification. It is also important to assess and address any potential risks, e.g. in cases of domestic violence, that may affect the decision to reunite family members.

However, should the applicant or the family eventually not wish to restore family links, their wishes should be respected.

⁽⁵⁷⁾ Article 23(5) AMMR.

⁽⁵⁸⁾ Article 23(6) AMMR.

⁽⁵⁹⁾ Article 25 AMMR.

⁽⁶⁰⁾ For more information on the legal framework relevant for children, see [Annex I. Legal framework – a focus on children's rights](#).



1.3. Key actors in family tracing processes

The involvement of different actors in the family tracing process depends on the legal and institutional framework of the host country, as well as on the analysis of the risk factors and the principle of confidentiality in each individual case. Notably in the case of applicants or refugees, engagement with authorities in the country of origin or consular authorities in the host country may expose the person to harm, where the state is the main actor of persecution. Extreme caution should be exercised to prevent exposure to any additional risk, an in-depth assessment of the individual situation must be done. Depending on the circumstances of the individual case, family tracing may imply identifying family members in the EU+ territory, or outside the EU+ territory, in the country of origin or in a third country (e.g. maybe the child left their parents behind in a refugee camp). It would involve cooperation with other national authorities, the authorities of another EU+ country, or engaging resources in the country of origin or in the third country where this would not endanger the child and the family.

Actors that could be involved are detailed in the table.

	Family tracing within EU+ country	Family tracing in the country of origin or in third countries
Actors	<ul style="list-style-type: none"> • The child. • The child's representative. • The authorities ⁽⁶¹⁾ of the host Member State. • The authorities of other EU+ countries. • International or other relevant organisations, including tracing organisations ⁽⁶²⁾. • The child's family members. • Other. 	<ul style="list-style-type: none"> • The child. • The child's representative. • Authorities ⁽⁶³⁾ in the host state • The embassies and consular services of the host state. • International or other relevant organisations ⁽⁶⁴⁾. • Local tracing services. • Authorities of the country of origin or a third country, provided it does not pose a risk to the child or their family members. • Other.

⁽⁶¹⁾ This may include all relevant child protection stakeholders such as judicial authorities, local social services, guardians and health services.

⁽⁶²⁾ See more in Section 'Family tracing organisations' in [Part II](#).

⁽⁶³⁾ This may include all relevant child protection stakeholders such as judicial authorities, local social services, guardians and health services.

⁽⁶⁴⁾ It is important to note that the ICRC and National Societies of the Red Cross and Red Crescent do not share the results of family tracing efforts with third parties. The information is communicated solely and directly to the family members involved in the search for their missing relatives.



For both children and dependent adults, the appropriate mechanisms must be in place to support the family tracing process, considering their specific needs and circumstances.

The applicant, whether a child or a dependent adult, often serves as the primary source of information for family tracing. In the case of **children**, appropriate child-friendly mechanisms ⁽⁶⁵⁾ should be put in place to enable the child to understand the aim of family tracing, the process and the possible outcomes and consequences. This includes ensuring that interpreters or linguistic and cultural mediators, if involved, are equally informed about the importance of engaging with the child in a child-friendly manner, particularly in the use of language and communication.

The child should be promptly informed and consulted about the family tracing process as well as any progress made in this respect. The child's views should be taken into account at all stages and should be a primary consideration in line with the child's age and maturity.

The participation of the child in the process should be facilitated by the guardian, who can act as a link between the child and the various actors involved. The child's **guardian** should support and accompany the child throughout the family tracing process. The guardian should represent the child and complement their legal capacity when necessary, ensuring that all actions are undertaken in the child's best interests. The appointed guardian should be informed and consulted regarding all actions taken in relation to the child. Depending on the individual circumstances of the case, the guardian may also be actively engaged in obtaining relevant information from the child.

For **adults**, who may also require support throughout the process, measures should be in place to enable them to understand the objectives and steps involved in family tracing. In cases where the adult applicant's ability to participate fully in decision-making is limited due to vulnerability, a designated representative or support person should accompany them, ensuring their perspectives and preferences are respected at all stages. This representative should be informed and consulted on all actions taken, advocating for the dependent adult's best interests while supporting them in providing relevant information for family tracing.

EU+ country authorities that could be involved in the family tracing process include, for example, asylum authorities, immigration authorities and child protection services at national and at local level. The host state's embassies or consular services in the country of origin or in third countries may also be involved. In accordance with the EU asylum *acquis* ⁽⁶⁶⁾, Member State authorities have a proactive role in the process of tracing a child's family members if this is considered to be in the child's best interests. States, through their child protection authorities and other relevant services, should develop family tracing processes and make family tracing mandatory in the case of unaccompanied children — except when it is considered as not being in the child's best interests or when it could endanger the child or their family. Family tracing is a prerequisite to ensure the necessary protection and care for

⁽⁶⁵⁾ Child-friendly mechanisms are systems or processes designed to be easily understood and accessible to children, ensuring their needs and rights are respected. These mechanisms prioritise the well-being and safety of children, making it easier for them to express their views, access services and receive appropriate support.

⁽⁶⁶⁾ In particular Article 33(7) QR, Article 27(10) RCD (2024) and Article 23 AMMR.



the child's well-being ⁽⁶⁷⁾. In accordance with the AMMR ⁽⁶⁸⁾, the personnel of the competent authorities must receive continuous training concerning the specific needs of children.



Related EUAA tool

The EUAA has developed training modules and practical guides addressing the specific needs of children and other vulnerable applicants. For more information, consult the EUAA Training Catalogue on the EUAA website, <https://euaa.europa.eu/training-catalogue>.

Family tracing is, furthermore, one area within the asylum context where EU+ countries often cooperate with **international or other relevant organisations** and rely on their services. Some international organisations have considerable experience and expertise in the field of family tracing. These organisations have established networks, tools and methodologies to facilitate family tracing in a manner that ensures the safety and best interests of the child. The services of such organisations are especially relevant when family tracing takes place in the countries of origin or third countries. Some of the organisations which EU+ countries collaborate with in this regard include UNHCR, the International Organization for Migration, the Red Cross and Red Crescent International Movement and International Social Services.

Member States may facilitate the applicant's access to the tracing services of such organisations. They should also seek, where necessary, the assistance of relevant organisations and authorities to assist the applicant in the family tracing process provided the principles and standards of the organisations concerned are respected ⁽⁶⁹⁾. The consent of the person concerned (child or adult for whom the tracing process is being carried out) must be requested prior to any information sharing by these organisations with the relevant authorities ⁽⁷⁰⁾.

Local community organisations services and actors, with hands-on experience in the field and familiar with the community ties, social and religious networks, could also be involved in the family tracing process, where relevant. Confidentiality, data protection and safety should be taken into consideration when deciding whether to involve local services in order to avoid putting the child, the family members or the service providers themselves at risk. The involvement of such organisations in the tracing process should ensure respect for their principles and standards.

Depending on the circumstances in the country of origin or third country and upon a thorough consideration of the safety of the child and the family members, as well as of the principle of confidentiality, the **authorities in the country of origin or third country or the diplomatic entities within Europe representing those countries** may also be involved in the family tracing process. This should always be done **with extreme care** to not jeopardise those

⁽⁶⁷⁾ Notably Articles 8, 9 and 10 CRC.

⁽⁶⁸⁾ Article 23(6) AMMR.

⁽⁶⁹⁾ Notably those of the members of the Red Cross Red Crescent Movement. To note that the ICRC and National Societies of the Red Cross and Red Crescent do not share the results of family tracing efforts with third parties. The information is communicated solely and directly to the family members involved in the search for their missing relatives.

⁽⁷⁰⁾ In compliance with Article 23(3) and (6) AMMR and Article 27(10) RCD (2024).



involved, the integrity of the asylum process as well as the safety of the applicants ⁽⁷¹⁾ and their family members.

When found, the **child's family member** should be involved in the verification of family links, in the process of restoration of family links and in any possible outcome of the family tracing process, if this is in the best interests of the child. Other family members or relatives, who are present in the EU+ territory but not considered responsible for the child in the Member State, should be involved during the process as it is likely that they have relevant information for the family tracing process.

In addition to the abovementioned actors of the family tracing process, **other profiles** may also play a role, such as public prosecutors or judges, teachers and psychologists, religious or community leaders, other persons known to the child or the family, etc.

In general, **cooperation** between these actors within a coordinated system would facilitate a functional and multidisciplinary family tracing process. Safeguards ensuring that all actors involved take into account the child's best interests as a primary consideration, and especially the safety of the child and the family, should always be in place.

⁽⁷¹⁾ In compliance with Article 33(7) QR and Article 27(10) RCD (2024).



Checklist for family tracing

This checklist outlines key considerations for conducting family tracing in a manner that respects individual rights, ensures voluntary participation, maintains confidentiality and promotes family reunification where it is safe and appropriate.

- ☐ **Separate family tracing from protection decisions.** Ensure that the decision to grant or deny international protection is not influenced by the outcomes of family tracing efforts, nor by any of the information collected during the family tracing procedure.
- ☐ **Promote family reunification.** Focus on family tracing to enable reunification, safeguarding family unity and leveraging the protective support families provide, while considering the person's willingness and best interests.
- ☐ **Avoid family separation.** Families seeking asylum together should generally not be separated, except under exceptional circumstances. If separated, ensure regular family contact is maintained if in the best interests of the child. The process of tracing can cause significant emotional distress for applicants and children, underscoring the need for adequate psychological support. Additionally, the presence of extended family members or caregivers is vital for a child's emotional well-being, and separation from them should be avoided if these individuals do not pose child protection risks.
- ☐ **Use information solely for tracing.** Ensure that information collected for family tracing is used exclusively for this purpose. Keep the information gathered during the family tracing process confidential. Put safeguards in place to ensure that the entire family tracing process and gathering of information will not negatively affect any of the parties concerned.
- ☐ **Voluntary basis.** Conduct family tracing on a voluntary basis, initiated only at the request of the interested party, based on their informed decision. Refusal to share information about relatives should not negatively affect the asylum process.
- ☐ **Informed consent.** Obtain informed consent from all parties before disclosing any personal or sensitive information, and before taking further steps. Both the enquirer and the family member who has been traced have the right to decline contact and to not have their relative informed of their exact location/address (if not already known).
- ☐ **Assess risks.** Carefully consider any potential risks to all family members, including those being traced and those initiating the tracing process, before initiating the tracing process and during all subsequent stages of it. Should new information on risks become available at a later stage, the tracing plan should be re-assessed in view of this information.
- ☐ **Prioritise protection and best interests.** All decisions should prioritise the protection, safety and best interests of the child.

The decision on whether and where to reunify a family should consider the needs, best interests, safety, security and preferences of all involved parties.





2. Principles and procedural safeguards

In family tracing, the well-being of vulnerable individuals and dependent adults, including the best interests of children, must be safeguarded. This is essential to ensure their rights are fully respected throughout the tracing process. To achieve this, a set of procedural safeguards promotes fairness, transparency and a person-centred approach, with particular emphasis on family unity, safety and well-being.

2.1. Focus on the best interests of the child

Family tracing is key to fulfil the right of the child to maintain personal relations and direct contact with their family members. It is also key for Member States to comply with their obligation to preserve these relations when it is in the child's best interests.

The principle of the best interests of the child is one of the four guiding principles on children's rights (right to non-discrimination, best interests, the right to life and development and the right to be heard) underpinning the CRC ⁽⁷²⁾ and the Charter ⁽⁷³⁾. As stated in Article 3(1) CRC:

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

The UN Committee on the Rights of the Child clarified that the best interests of the child should be interpreted as a threefold concept ⁽⁷⁴⁾, incorporating:

- a substantive right;
- a fundamental, interpretative legal principle; and
- a rule of procedure.

In its General Comment No 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin ⁽⁷⁵⁾, the UN Committee on the Rights of the Child provided guidance on how to take into consideration the best interests of the child as a mainstream rule of procedure through specific procedural guarantees. Its position on the right

⁽⁷²⁾ Articles 2, 3, 6 and 12 CRC.

⁽⁷³⁾ Article 24 of the Charter.

⁽⁷⁴⁾ See Best Interests of the Child based on UN Committee on the Rights of the Child, [General comment No 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(Article 3, para. 1\)](#), 29 May 2013, CRC /C/GC/14, 29 May 2013.

⁽⁷⁵⁾ UN Committee on the Rights of the Child, [General comment No 6 \(2005\) Treatment of unaccompanied and separated children outside their country of origin](#), CRC/GC/2005/6, 1 September 2005, paragraphs 80-88.





of the child to have their best interests taken as a primary consideration is further developed in General Comment No 14 (2013) alongside procedural safeguards ⁽⁷⁶⁾.

The new instruments of the CEAS must be implemented in accordance with both the Charter and the CRC. This obligation is clearly outlined in recital 25 of the screening regulation and recital 67 APR. These regulations emphasise that the best interests of the child must be the primary consideration for all competent authorities when applying CEAS instruments. This consideration must be upheld throughout the entire asylum procedure. Moreover, the best interests assessment outlined in the RCD (2024) also applies to the asylum procedure ⁽⁷⁷⁾.

One crucial aspect of ensuring the best interests of the child is maintaining family unity ⁽⁷⁸⁾. Minors should remain with their parents or caregivers wherever possible. To support this, the principle of family unity requires accommodating families with minors in settings that meet their specific needs, avoiding separation and ensuring stability. This is also applicable in the cases where there are grounds for detention since the principle of family unity necessitates the use of appropriate alternatives to detention for families with minors. These alternatives should ensure that families are accommodated in environments suitable for their needs ⁽⁷⁹⁾.

In the context of the AMMR, the best interests of the child incorporate the related provisions of the RCD (2024) ⁽⁸⁰⁾. It is imperative that the best interests of the child and family unity are fully respected and integrated into the best interests assessment. This means that during all procedures, the well-being and unity of the family must be considered and preserved to the greatest extent possible.

Family identification and tracing are essential components of this framework. The goal is to ensure that family unity is maintained during relocation procedures and border procedures ⁽⁸¹⁾. Authorities are required to make every effort to identify and trace family members to uphold the principle of family unity and the best interests of the child. The process must not entail any danger for the child concerned, the family or the actors that will conduct the family tracing.

Whilst tracing is being undertaken, responsibility for the child remains with the host state. Therefore, a risk assessment for the specific purposes of family tracing should be undertaken. This risk assessment must be part of the best interests assessment undertaken prior to the tracing, given that best interests assessment analyses the safety considerations of both the child and the family, possibilities for restoring contact with family and/or of family reunification, the child's well-being and the child's views according to their age and maturity. The specific means for family tracing, the potential actors to involve and the possible ways to collect

⁽⁷⁶⁾ UN Committee on the Rights of the Child, [General comment No 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(Article 3, para. 1\)](#), 29 May 2013, CRC /C/GC/14, 29 May 2013.

⁽⁷⁷⁾ Article 22(2) APR.

⁽⁷⁸⁾ Family unity should be maintained as far as possible (Article 45(2) and 54(2) APR).

⁽⁷⁹⁾ As stated in recital 40 RCD (2024), which lays down that families with minors must be accommodated in reception facilities appropriate to their needs. The need to align with the requirements of the RCD (2024) is also laid down in Article 54(2) APR.

⁽⁸⁰⁾ Recital 46 and Article 23(4) AMMR.

⁽⁸¹⁾ This is reinforced by the stipulations in recital 70, Articles 67 and 68 AMMR and Article 45 APR.



information should also be determined in full consideration of safety guarantees. A child can only be reunited if the reunification is in their best interests.



Cases child marriage: best interests and legal considerations

In all cases where one or both parties to a marriage is a minor, the best interests assessment must consider all the factors below.

If an unaccompanied minor is married to an adult legally residing in a Member State, or if both spouses are minors, the marriage will generally be assessed based on national laws and international standards regarding child protection and well-being. In the context of **family tracing and reunification**, Member States may consider the marriage valid only if it aligns with national laws on the validity of such marriages and if the union does not conflict with best interests of the child.

When the marriage involves a minor married to an adult, additional considerations of the minor's well-being and any protection needs are essential. Authorities must carefully assess whether tracing and consequent reunification serves the minor's best interests, especially where there may be concerns about exploitation, coercion or other risks associated within the marriage. This includes involving child protection agencies and relevant organisations to provide guidance and ensure that all actions prioritise the child's well-being.

If both spouses are minors, the union may be viewed with particular caution, as Member States generally emphasise protecting minors over formalising unions involving young individuals. Tracing and reunification in such cases would focus on ensuring safe, age-appropriate living conditions for both minors and safeguarding measures consistent with each **child's best interests**. Here too, national laws and child protection principles guide the approach, with a clear focus on the minors' health, safety and personal development rather than validating marital status.



Risk assessment

Potential risks for the child or the child's family members should be taken into account at all stages of the tracing process, to avoid any harm. To ensure this, it is essential to gather all the relevant information on the country of origin and/or transit, establishing potential risks and mitigating measures to diminish their impact. Preparations for the reunification of children must take into account the need to shield them against discrimination, targeted attacks and further risks of reprisals from trafficking networks (see examples below). If family tracing could put the child or their family members in danger, the case should be referred to the competent actors to explore the need for international protection ⁽⁸²⁾.

Below a non-exhaustive list of some circumstances that require special attention.

⁽⁸²⁾ IOM, UNICEF, IOM-UNICEF Strategic Collaboration Framework (2022-2023), [Family tracing and assessment form](#), 2022.



- **Risk of reprisals in domestic violence cases:** if there is a history of domestic violence within the family, re-establishing contact may expose the child to further harm. Evaluating the family dynamics and ensuring a safe environment for the child is paramount.
- **Involvement in armed violence:** children who have been involved in armed violence against their own community face unique risks. Ensuring their safety requires careful planning and the involvement of specialised organisations.
- **Persecution:** if the child or their family members are at risk of persecution in their home country, family tracing could expose them to severe consequences. It is crucial to assess the political landscape and potential threats before initiating contact. For instance, children and their families belonging to marginalised ethnic or religious groups may face heightened risks of persecution. Family tracing efforts must take these factors into account and prioritise the safety and anonymity of the involved individuals.
- **Human trafficking and exploitation:** family tracing might expose the child or their family members to reprisals from traffickers, particularly if the child has served as a witness. In such cases, family tracing activities must be carefully evaluated to prevent exposing the family to further danger. In cases where the child has been a victim of human trafficking, contacting the family may inadvertently alert traffickers to the child's whereabouts, putting both the child and their family at risk. Thorough risk assessments and the involvement of anti-trafficking organisations are necessary.



Related publications

EASO, [Practical guide on the best interests of the child in asylum procedures](#), 2019. This guide supports EU+ country authorities in applying the principle of the best interests of the child and enhancing the guarantees within asylum procedures for children. The guide covers background elements of the best interests of the child, relevant guarantees, guidance on how to assess the best interests in practice and vulnerability and risk indicators.

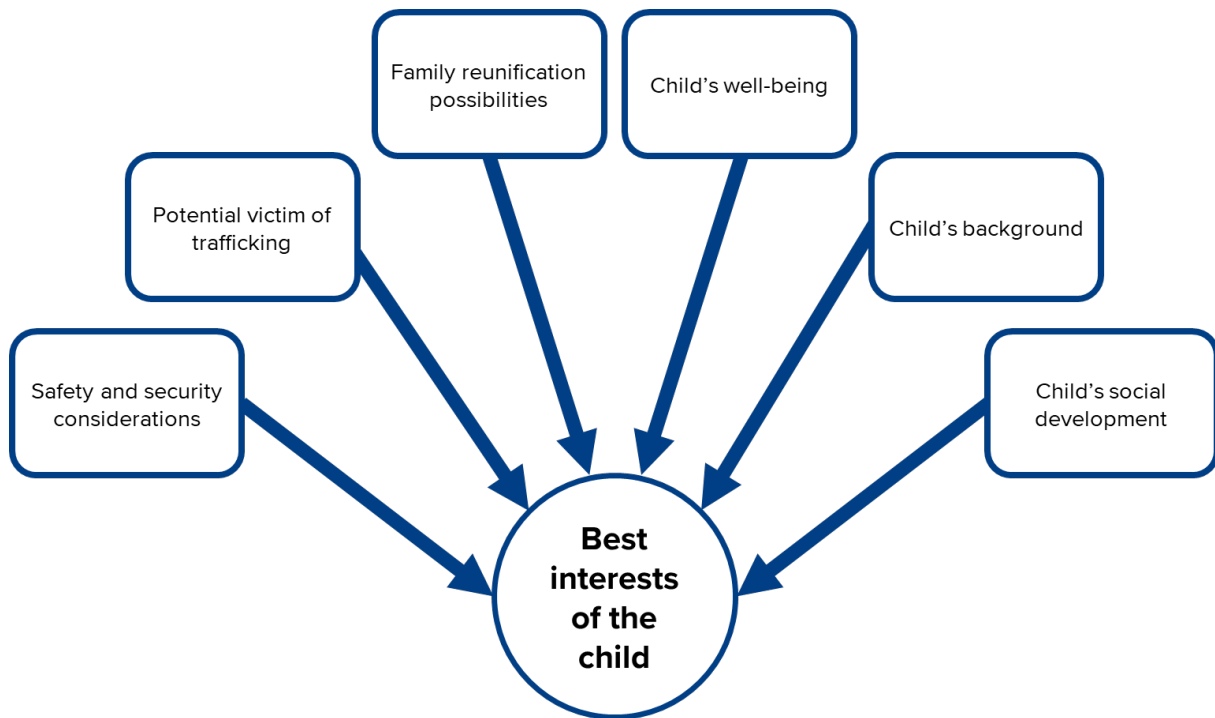
European Union Agency for Fundamental Rights (FRA), [Guardianship for children deprived of parental care](#), 30 June 2014. This handbook provides information for guardians on how to conduct a best interests assessment or to ensure authorities conducting best interests' assessment consider all relevant elements.



Recital 15 QR

In assessing the best interests of the child, Member States' authorities should, in particular, take due account of the principle of family unity, and the minor's well-being and social development, linguistic skills, safety and security and the views of that minor with due regard to the minor's age and maturity.



Figure 1. Best interests of the child components

The AMMR requires the authorities to **prioritise** applications for international protection from individuals with family members in EU+ countries. Both the requesting and requested countries are expected to expedite family unity-related requests and transfers, ensuring quick access to the asylum procedure. Authorities should show flexibility and aim to reunite family members as swiftly as possible.

2.2. Procedural safeguards

This section outlines procedural safeguards to ensure the protection and well-being of vulnerable individuals during family tracing, including unaccompanied children and dependent adults. These safeguards align with relevant legal instruments and soft law recommendations. For instance, the role of the guardian or representative is essential for both children and dependent adults – where applicable – to provide information, representation and assistance if a decision concerning family tracing needs reviewing.

These safeguards include:

1. safety
2. guardian/representative
3. information
4. child's views are heard
5. confidentiality



6. data protection
7. verification of family links
8. benefit of the doubt
9. effective remedy.

Additionally, the principle of family unity plays a critical role in safeguarding the well-being of the applicant. Cooperation between relevant actors is vital to ensure these safeguards are effectively implemented. These procedural measures ensure that family tracing not only seeks to reunite families but does so in a manner that fully respects and protects the rights of the persons involved.

2.2.1. Safety

Safety is fundamental in family tracing for vulnerable individuals, particularly unaccompanied children and dependent adults. Family tracing should take place in full consideration of safety ⁽⁸³⁾. In addition to the initial risk assessment, safety must be continually monitored throughout the family tracing process. This includes considering the physical and emotional safety of the applicants as well as the potential risks to the family members being traced. This is especially the case where there may be concerns about domestic violence, trafficking in human beings or other forms of violence or abuse. For unaccompanied children and dependent adults, the guardian or representative must play a central role in ensuring the child understands potential risks according to their level of maturity, supporting them in expressing any concerns. Similarly, dependent adults, such as those with mental, physical or emotional vulnerabilities, must be informed about potential risks in an accessible manner, with their representative helping them voice concerns.

2.2.2. Appointment of the guardian

In accordance with international conventions and EU regulations, there is a clear obligation to provide special protection and assistance to any child who is temporarily or permanently deprived of their family environment. This is particularly emphasised in the CRC ⁽⁸⁴⁾, with the latter focusing specifically on the protection of refugee children. The new EU asylum legislation reinforces this by mandating the appointment of a representative or guardian for unaccompanied minors throughout the asylum process.

⁽⁸³⁾ Article 6 CRC.

⁽⁸⁴⁾ Article 20 and Article 22(2) CRC.



FRA, *Guardianship for children deprived of parental care*, 30 June 2014.

Additional guidance regarding the role of the guardian in family tracing may be found in the FRA handbook for children deprived of parental care.

The guardian exercises three distinct functions when the child lacks parental care as illustrated in the figure.



The role of the appointed representative is crucial. Indeed, the representative ensures that the child can exercise their right to be heard. From the initial screening stage through the entire asylum procedure, the representative is responsible for ensuring that the unaccompanied minor is adequately represented and assisted. This includes acting in the child's best interests, exercising their legal capacity where necessary and playing a significant role in family tracing efforts to maintain family unity.

Dependent adults who lack the capacity to represent themselves should also receive timely assistance from an appointed representative, as provided under national frameworks. For vulnerable groups, especially dependent adults, procedural safeguards must address specific needs and complexities. Dependent adults may require:

- **tailored communication** – information should be provided in an accessible manner, taking into account any cognitive, sensory, or language-related challenges;
- **support in decision-making** – representatives should assist dependent adults with decision-making, particularly when understanding the implications of family tracing or when consenting to particular steps;
- **regular check-ins and adjustments** – continuous assessments may be required to ensure the dependent adult's well-being, with adjustments made to support mechanisms as needed.

In cases where dependent adults are reluctant to participate in family tracing, their preferences should be considered carefully. The representative may need to balance the individual's autonomy with protective considerations, guided by the best interests principle, similar to the approach used for unaccompanied children.

Under the new Pact on Migration and Asylum, to ensure the effectiveness of their role, representatives whose interests conflict with those of the minor, or who could potentially have



such conflicts, should not be appointed ⁽⁸⁵⁾. Moreover, representatives must possess appropriate qualifications and expertise. They must also undergo regular training to stay informed and capable of providing the necessary support ⁽⁸⁶⁾. Additionally, the continuity of representation ⁽⁸⁷⁾ and support to unaccompanied minors is important. Provisions for reviewing and potentially replacing representatives who do not perform their duties adequately are included in the legislative framework ⁽⁸⁸⁾.

The tasks of the representative are extensive and reinforced under the CEAS, include assisting with the registration and lodging of asylum applications, preparing for and attending personal interviews, and providing necessary information about the asylum process. Furthermore, the representative plays a vital role in family tracing, ensuring that efforts are made to reunite the minor with their family members when possible. Under the QR, the guardian also has responsibilities related to status withdrawals and ongoing assistance with family tracing ⁽⁸⁹⁾.

Lastly, it is important to establish robust mechanisms for monitoring and supervising the representative's performance. Regular oversight by administrative or judicial authorities is essential. Any complaints lodged by unaccompanied minors against their representatives must be reviewed thoroughly. This includes ensuring that minors can confidentially and safely lodge complaints about their representatives, as specified in the relevant articles of the RCD (2024), QR, APR and AMMR ⁽⁹⁰⁾.



Related EUAA/FRA publication

EUAA–FRA, [Practical Tool for Guardians – The asylum procedure](#), October 2023, Section 2.3 ‘Lodging an application for international protection’.

2.2.3. Information provided in an appropriate manner

Ensuring that children and dependent adults are adequately informed about their rights and obligations during the family tracing process, as well as about any progress and outcomes, is essential for their effective participation. This includes direct communication or the delivery of information with the support of the guardian or representative, based on national procedures and the individual's capacity to understand.

For children, information should be provided in an age-appropriate and accessible format. As emphasised in the CRC General Comment No 6:

It is imperative that unaccompanied and separated children outside their countries of origin are provided with all relevant information concerning, for

⁽⁸⁵⁾ Article 27(2) RCD (2024); Article 23(2)(3) APR; Article 33(1)(4) QR; Article 14(1)(3) Eurodac III regulation; Article 13(4).screening regulation.

⁽⁸⁶⁾ Article 23(9) APR, supported by Article 26(6) RCD, Article 23(2) AMMR and Article 33(2)(a) QR.

⁽⁸⁷⁾ Recital 25 and Article 13(4) screening regulation

⁽⁸⁸⁾ Article 27(8) RCD (2024), Article 23(9), sub-paragraph 2, APR.

⁽⁸⁹⁾ Article 33(2)(b) and (c) QR.

⁽⁹⁰⁾ Article 27(5)(a) RCD (2024); Article 33(4) QR; Article 23(5)(a) APR; Article 19(1)(r) AMMR.



example, their entitlements, available services, including means of communication, the asylum process, family tracing and the situation in their country of origin, in order to allow for the child's well-informed expression of views and wishes. ⁽⁹¹⁾

The new Pact on Migration and Asylum introduces updated requirements for informing minors. Articles 8(1) and 8(2) APR and Article 5 RCD (2024) mandate that information must be delivered in a language that the child understands or is reasonably expected to understand. This information must also be provided in a child-friendly manner, involving the child's representative to ensure clarity and comprehensibility ⁽⁹²⁾.

Furthermore, the APR stipulates that information should be provided through leaflets and materials specifically designed for minors ⁽⁹³⁾. This approach aims to enhance the child's understanding of the international protection procedure and supports the effective collection of relevant information from the child.

For adults, information should be adapted to their cognitive and emotional needs. This may include simplifying language or using alternative formats, depending on any mental, sensory or language-related challenges. The views of vulnerable individuals according to their age, maturity and capacity should also be considered.

All vulnerable individuals, including unaccompanied children, have the right to express their own views freely in all matters that affect them. The views of the child should be given due weight according to their age and the maturity ⁽⁹⁴⁾. The views of the child regarding the family tracing process itself as well as regarding the possible outcomes (verifying family links, re-establishing contact, reunification with family members, etc.) should be duly taken into consideration, in accordance with the child's age and maturity. Article 23(3) AMMR emphasises that the representative of an unaccompanied minor must be involved throughout the entire procedure. It details the representative's role in assisting the minor by providing information relevant to assessing the child's best interests, ensuring the minor's right to be heard and supporting their engagement with other actors, such as family tracing organisations. This involvement must respect confidentiality obligations towards the minor.

There are different modalities for the child to express their views regarding the family tracing process and the child should not be unnecessarily limited to do so in any procedural moment. Depending on the national set-up and the circumstances of the case, the child may express their views during an interview, through written statements or other means, by themselves or the representative can do so on behalf of the child. Interviews of unaccompanied and, where applicable, accompanied minors must be conducted by individuals with the necessary knowledge of the rights and special needs of minors. These interviews should be carried out in a child-sensitive and context-appropriate manner, considering the minor's age and maturity.

⁽⁹¹⁾ UN Committee on the Rights of the Child, [General comment No 6 \(2005\) Treatment of unaccompanied and separated children outside their country of origin](#), CRC/GC/2005/6, 1 September 2005, paragraph 25.

⁽⁹²⁾ Article 5(2) RCD (2024); recital 30 and Article 8(2) and 23(2)(a) APR; Article 20(3) AMMR.

⁽⁹³⁾ Article 8(2)(a)(7) and (d) APR.

⁽⁹⁴⁾ UN Committee on the Rights of the Child, [General comment No 12 \(2009\). The right of the child to be heard](#), CRC/C/GC/12, 20 July 2009, 1 July 2009.



The presence of the representative and, where applicable, the minor's legal adviser is required during these interviews to ensure the minor's best interests are protected ⁽⁹⁵⁾.

Frequent communication provided in a child-friendly, explaining the tracing process and actively listening to the child and child's concerns are essential to ensure that the tracing process is well understood and accepted by the child. This may lead to obtaining the **child's informed consent**. This acceptance should translate into the child's active collaboration in all the tracing steps and processes. It is also essential for the acceptance of tracing results, whatever they may be, and for facilitating the child's participation in relevant further procedures, such as family contact restoration or family reunification.

When family tracing is assessed to be in the child's best interests, but the child refuses to agree to it, the guardian/representative could potentially still give consent to the tracing. However, this needs to be well communicated to the child by their representative in order not to jeopardise the relationship of trust between them ⁽⁹⁶⁾.

Dependent adults should also have opportunities to express their preferences, especially where these relate to family tracing and reunification. The individual's autonomy should be respected to the fullest extent possible, with decisions guided by their best interests and supported by a representative where needed. This approach of actively listening to and valuing the views of vulnerable individuals ensures they are informed and respected participants in the family tracing process. It also promotes their engagement in subsequent steps, such as family contact restoration or reunification, aligning the process with their rights and best interests.

2.2.4. Confidentiality

Confidentiality refers to the treatment of information. When information is treated as confidential, it can only be shared with the consent of the subject of the information or, if allowed for in national law, to authorised parties. The shared information is limited in scope only to the information necessary for these parties in order to carry out their functions. If not allowed for in law, the holder of the information will need the consent of the individual to share the information with another party. The consent of the applicant to share the information must be sought, in an age-appropriate manner, before sensitive information is disclosed.

The principle of confidentiality is intrinsically linked with the safety considerations. Safety and confidentiality guarantees must be put in place as important safeguards in the family tracing process, especially when the unaccompanied child may be in need of international protection.

The rule of confidentiality in the family tracing process applies not only to the information concerning the child but also to the personal information of those affected by the process (family members being traced, etc.). As underlined by the CRC General Comment No 6:

⁽⁹⁵⁾ Article 22(4) AMMR.

⁽⁹⁶⁾ UNHCR, [*Safe and Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*](#), October 2014.



particular care must be taken in order not to endanger the well-being of persons still within the country of origin, especially the child's family members. ⁽⁹⁷⁾

This consideration takes on additional weight when tracing the family members in the country of origin of a child who is an applicant for international protection. A best interests assessment should always precede the initiation of tracing as well as when any decision on the outcome of family tracing, especially if considering restoring family links.

As underlined in the CRC General Comment No 6, in conducting tracing activities, no reference should be made to the status of the child as an applicant or refugee ⁽⁹⁸⁾. The safety of the family members of the child remaining in the country of origin may be endangered if the principle of confidentiality is not observed and the child may become a refugee *sur place* ⁽⁹⁹⁾.

The adverse consequences of a breach of the principle of confidentiality with regard to information collected within the international protection procedure, including information collected in the family tracing process, may seriously affect the particular child and their family, but also the integrity of the asylum system.

2.2.5. Data protection

Under EU law, personal data can be processed only under strict conditions. Organisations collecting and managing personal data must ensure that the data is protected from misuse and handled with respect for the rights of the individuals to whom the data pertains. Family tracing is a process which is based on the processing of personal data, and, in many cases, the data processed is sensitive or its misuse may put those involved in the process at risk.

The family tracing process should be undertaken on a confidential basis and in full respect of the key principles established by the EU data protection law ⁽¹⁰⁰⁾.

Applicants and their guardians/representatives should be informed about the data that is going to be collected and the respective national legal framework regulating this.

2.2.6. Verification of family links

Establishing the authenticity of family links is a critical safeguard for unaccompanied children and dependent adults involved in family tracing. Ensuring that verification processes are thorough yet respectful of the individual's circumstances helps protect their best interests while upholding their rights.

⁽⁹⁷⁾ UN Committee on the Rights of the Child, [General comment No 6 \(2005\) Treatment of unaccompanied and separated children outside their country of origin](#), CRC/GC/2005/6, 1 September 2005, paragraph 30.

⁽⁹⁸⁾ UN Committee on the Rights of the Child, [General comment No 6 \(2005\) Treatment of unaccompanied and separated children outside their country of origin](#), CRC/GC/2005/6, 1 September 2005, paragraph 80.

⁽⁹⁹⁾ Refugee *sur place* are the individuals leaving their country of origin for reasons not related to international protection and who may nevertheless acquire a well-founded fear of persecution or serious harm in their own country following their departure.

⁽¹⁰⁰⁾ For more information on data protection, consult FRA, [Handbook on European Data Protection Law](#), 25 May 2018.



To proceed with the verification of family links, different methods can be applied, from evidence's collection to DNA testing, **as a last resort**. In fact, if sufficient evidence exists, DNA testing or other invasive methods should not be required for verification. According to the AMMR ⁽¹⁰¹⁾ circumstantial evidence should be sufficient where it is 'coherent, verifiable and sufficiently detailed to establish responsibility for examining an application for international protection.'



What evidence can be collected?

- **Documentary evidence.** This includes birth certificates, family books and passports that indicate family relationships.
- **Circumstantial evidence.** Statements from the applicant and family members can provide context and support verification. Examples include written and/or oral statements, interviews with family members (e.g. constructing a common family tree in simultaneous interviews), or investigations carried out on the situation abroad. The child's statements could be corroborated by supporting evidence such as documents, audio-visual materials, any documents or physical exhibits (e.g. diplomas, pictures, and proof of money transfer) or knowledge of specific facts.
- **Records and photographs.** Official records from EU+ countries, photographs, proof of contact and witness statements can also serve as evidence ⁽¹⁰²⁾.

It is important to consider **risk mitigation** where verifying family links. That means exploration of the chosen family links must not put the child/adult or family members at risk. For instance, contacting authorities in the country of origin might not be suitable for a refugee or a person seeking international protection. Furthermore, if there are any concerns about possible risks to the child or family members — such as trafficking or other dangers — extra caution should be exercised to prevent exposure to these threats.

Another important consideration is the **benefit of the doubt**. Where the applicants cannot provide documentary evidence of the family relationship, the national authorities must consider their statements and other available evidence. The authorities cannot reject the existence of family links based solely on the lack of documentary evidence: the benefit of the doubt principle must be applied. In this regard, refer to the family reunification directive ⁽¹⁰³⁾ as it provides guidance on the conditions to be applied for the family reunification of beneficiaries of international protection. According to the European Commission's guidance on the application of the family reunification directive ⁽¹⁰⁴⁾, Member States are obliged, in such cases, to take into account other evidence of the existence of the family relationship. The

⁽¹⁰¹⁾ Recital 54 AMMR.

⁽¹⁰²⁾ Recital 54 AMMR.

⁽¹⁰³⁾ [Council Directive 2003/86/EC](#) of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003).

⁽¹⁰⁴⁾ [Communication from the Commission](#) to the European Parliament and the Council on guidance for application of Directive 2003/86/EC on the right to family reunification, Brussels, COM/2014/0210 final, 2014.



‘other evidence’ is to be assessed in accordance with national law and Member States should adopt clear rules governing these evidentiary requirements.

However, even with the benefit of the doubt, efforts to verify family links should not be entirely replaced. A **balanced approach** should be adopted using various methods to confirm family links, such as documentary evidence, statements from the applicant and family members, interviews and any relevant circumstantial or contextual information.

2.2.7. Effective remedy

In the family tracing context, EU law does not explicitly provide for an independent right to appeal decisions on family tracing separate from the decision on the application for international protection. National rules thus apply. Additionally, there is no specific legal obligation to initiate or conclude the family tracing process with a written decision. In practice, however, a decision to initiate or not initiate family tracing after assessing the best interests of the child may be issued. The results of family tracing are generally reflected in the best interests assessment within the international protection application.

Although a separate appeal may not be issued, the procedural safeguards for challenging decisions within the international protection procedure (including AMMR transfer decisions ⁽¹⁰⁵⁾) also apply to family tracing processes ⁽¹⁰⁶⁾. The following safeguards ensure effective remedy in this context.

- All persons, including unaccompanied children and their guardian/representative, must be provided with legal and procedural information on challenging the outcome of family tracing or the transfer decision.
- Decisions must be motivated (including factual circumstances and legal reasoning), justified and explained. In cases concerning children, decisions should clearly refer to the relevant elements of the best interests assessment and how they have been weighted to determine child’s best interests.
- A reasonable period of time should enable applicants to exercise their right to effective remedy. Information on the modalities and time limits for lodging an appeal or asking for a review should be provided by the authorities
- Legal assistance and representation should be provided free of charge according to applicable modalities.

Interpretation should be provided free of charge where necessary.

⁽¹⁰⁵⁾ Article 19(k) AMMR.

⁽¹⁰⁶⁾ Further guidance can be found in UN Committee on the Rights of the Child, [General comment No 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(Article 3, para. 1\)](#), 29 May 2013, CRC /C/GC/14, 29 May 2013.



2.3. Collaboration among authorities and organisations

Different institutional actors may be involved in the family tracing process at the national level, such as the determining authority, the authority/section responsible for the AMMR procedure, the reception authority/section, social services, etc. Cooperation is key for the effectiveness of the family tracing efforts and to ensure that the best interests of the child are fully considered.

Despite their differing mandates, national authorities may also request the assistance of international intergovernmental and non-governmental organisations or other relevant organisations experienced in family tracing ⁽¹⁰⁷⁾. Engaging family tracing organisations or international organisations in the reunification process can be highly beneficial. These organisations often have the capacity to establish contact with family members more efficiently. In cases where a family member cannot be immediately located, they can leverage their networks to collaborate with partner organisations in the country to aid in the search. Additionally, these organisations play a crucial role in building trust with both the child and the family members, which is essential for a successful reunification process. Member States may further arrange for or facilitate the minor's access to the tracing services of such organisations ⁽¹⁰⁸⁾.

Family tracing should also be based on cooperation and the sharing of responsibilities among EU+ countries and, in some cases, with the countries of origin and transit, provided it does not put the enquirer and family members concerned at risk. A common approach, greater coherence and more cooperation between the EU+ and third countries is in line with the general EU policy.

⁽¹⁰⁷⁾ Further guidance can be found in UN Committee on the Rights of the Child, [General comment No 14 \(2013\) on the right of the child to have his or her best interests taken as a primary consideration \(Article 3, para. 1\)](#), 29 May 2013, CRC /C/GC/14, 29 May 2013.

⁽¹⁰⁸⁾ 23(3) AMMR



3. Family tracing procedure

This chapter analyses the core stages of the family tracing process. The family tracing process can be explored from two perspectives:

- when undertaken within the framework of the AMMR procedure and in EU+ countries; and
- when undertaken in the country of origin or in a third country in the context of the international protection procedure or as its follow-up.

In this guide, the family tracing process within the framework of the AMMR is mentioned to give an overview of the different possibilities but the procedure itself is set out in more detail in [Part II](#).

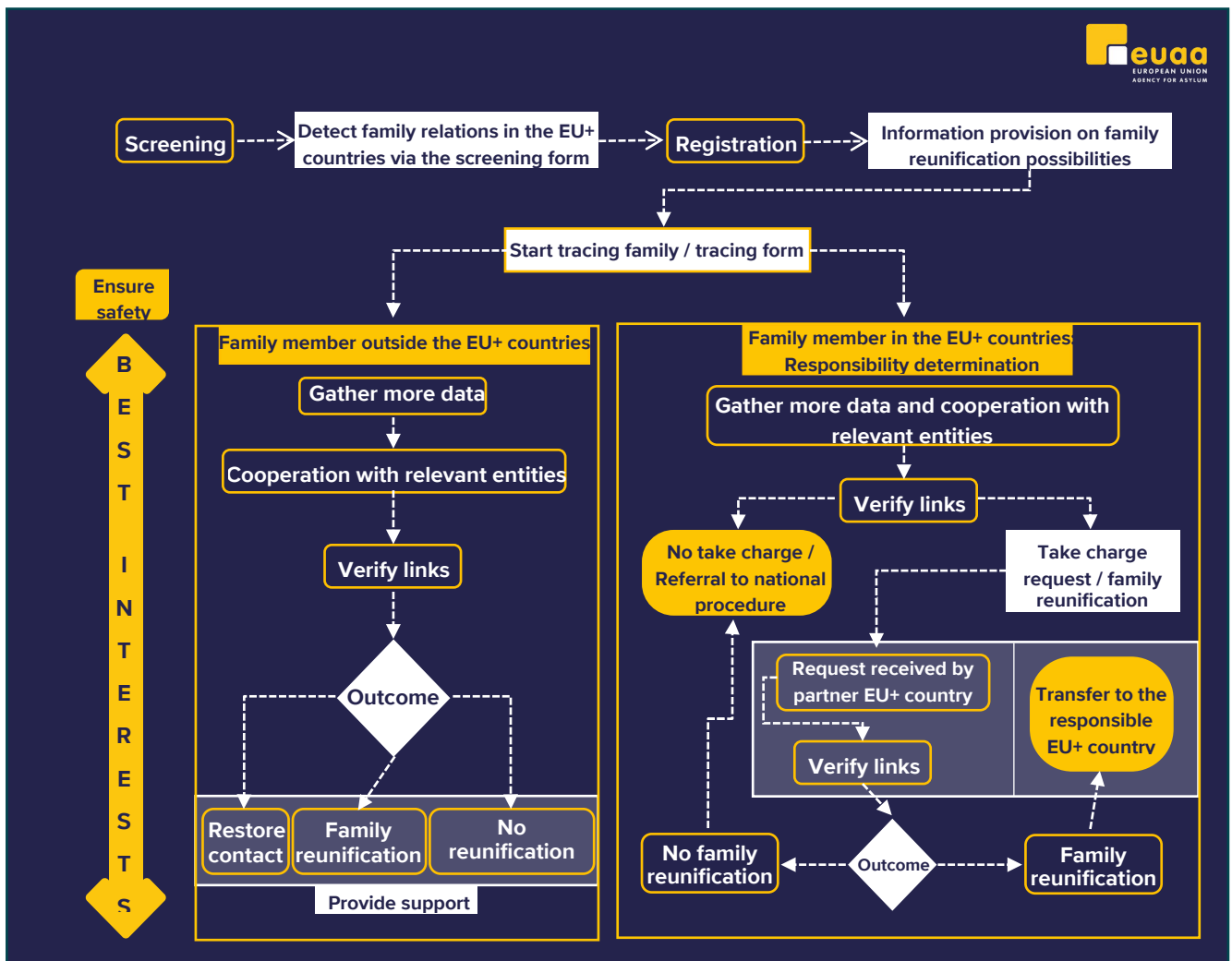
A key consideration across all stages of the family tracing and reunification process is the need for coordination and planning at the Member State level. This includes cross-sectoral plans for material, financial and technical support to address all family tracing stages.

Flowchart of the family tracing process

Family tracing is an integral part of the overall case management of the applicant, particularly when a child is involved. In such cases, child protection authorities should play an active role to ensure better coordination of the overall case management process. Their involvement helps to uphold the child's best interests, which are at the core of every action taken. However, this guide focuses exclusively on the family tracing flow itself, acknowledging that this process is one component of a broader case management framework that requires the collaboration of various stakeholders. The flowchart describes the procedural flow of family tracing within the scope of the international protection procedure in general.



Figure 2. Flowchart of family tracing process



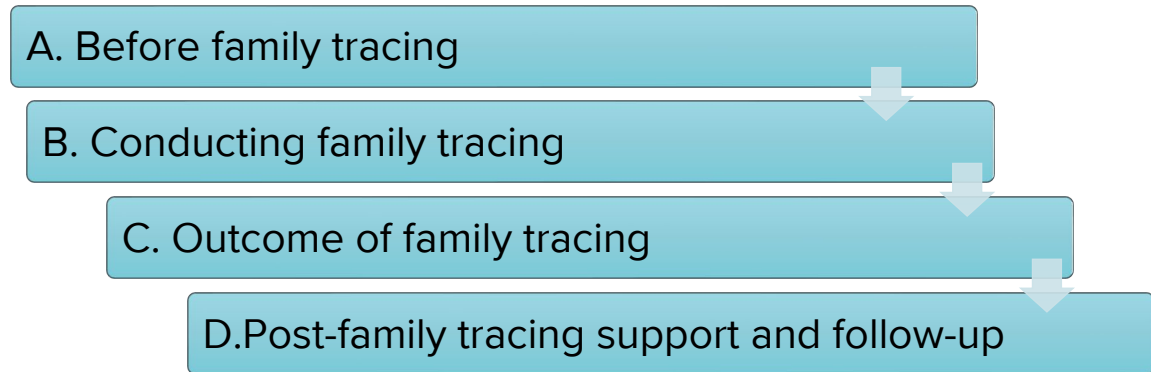
The family tracing process consists of interconnected, though distinct, stages which follow a continuous procedural flow that integrates various important considerations. From the initial decision to initiate family tracing, which is triggered when a person applies for international protection, to the active tracing and eventual outcome, all steps are part of a comprehensive approach aimed at securing the child's well-being.

In the initial stages, before family tracing is conducted, authorities must ensure that all necessary steps are taken to inform and prepare the child, while paying attention to their views, age and maturity. This preparation lays the groundwork for the more complex process of tracing family members, either in the EU+ countries or in the country of origin or third countries.

Once family tracing begins, the methods and actors involved may vary depending on the location of the family members. Whether tracing takes place within the framework of the AMMR in the EU+ countries or it entails international cooperation with third countries, maintaining the overarching principles and safeguards and the best interests of the child remains central throughout the process.



While the procedural details may differ based on where family members are located, the entire process is aimed at a single goal: reuniting the child with their family in a manner that respects their rights and promotes their long-term well-being. Both the preparatory steps and the active tracing efforts are inseparable components of the broader family tracing procedure. Below are the ideal steps to be followed.



3.1. Before family tracing

This guide looks specifically at family tracing concerning applicants for international protection. Registering an application for international protection would be sufficient to initiate family tracing under the AMMR.

For vulnerable individuals, the decision to initiate family tracing should always be guided by their best interests. This decision is typically made in collaboration with the individual's representative (guardian or legal representative), national authorities and relevant organisations. Specific considerations for dependent adults include respecting their autonomy, privacy and any specific needs related to their vulnerability. For children, the decision to initiate family tracing is typically made by the child's representative, in collaboration with national authorities and relevant organisations.

When a vulnerable applicant, such as an unaccompanied child or dependent adult, applies for international protection, the following points apply.

1. The applicant should be referred to the competent authorities for dealing with the application for international protection, either for the purposes of the AMMR or to examine the application as the responsible state.
2. The appointment of a representative should be ensured ⁽¹⁰⁹⁾.
3. The applicant should be informed about the family tracing process as early as possible. Information should be adapted to their level of understanding and the views of both children and adults should be considered. Depending on the national set-up, information could be provided by national authorities, entrusted organisations or the applicant's representative.

⁽¹⁰⁹⁾ Article 13(3) screening regulation.



4. It is nevertheless the responsibility of the state to ensure that the applicant fully understands the family tracing process. Being informed and understanding the process would further help the applicant to provide the information needed to initiate family tracing.
5. During initial meetings, such as at first contact and at the making of the application, the responsible officer would normally collect information that will be useful further on in the process. Screening forms ⁽¹¹⁰⁾ and a dedicated template ⁽¹¹¹⁾ can collate information about family members to facilitate the referral.

The appointed **representative or a guardian** plays an important role in guaranteeing that the above steps are taken with the best interests of the child as a primary consideration and in observance of the specific procedural safeguards applicable to unaccompanied children within the international protection procedure. They also play a key role in providing information as well as supporting the applicant in collecting the necessary information for the purposes of family tracing, always with their best interests in mind.

It is important that, in the early stages of the international protection procedure and before initiating family tracing, the **applicant's views** are fully considered, considering their age and maturity. The child's views should be considered and weighted with the different elements in the assessment of the best interests of the child and should help to determine whether family tracing should be initiated.

If the authorities are aware of family members in another Member State but the unaccompanied child or dependent adult does not agree to initiate family tracing, their views should be carefully considered in line with their age, maturity and best interests. While family tracing is encouraged to support well-being and family unity, the process should respect the autonomy and wishes of the individual, especially if pursuing tracing could negatively impact their well-being. In such cases, the appointed representative or guardian, in collaboration with national authorities, should assess the reasons behind the reluctance, considering any potential risks, sensitivities or specific vulnerabilities involved.

For both children and dependent adults, a comprehensive best interests assessment — including input from relevant organisations — is essential to determine whether family tracing should proceed in a way that respects the individual's wishes and protects their rights. Ultimately, while family tracing supports family unity, the decision to move forward should always be guided by the individual's best interests. If tracing could benefit the individual but they remain hesitant, authorities may consider revisiting the option later, as their circumstances or perspectives evolve, ensuring that any tracing efforts align with confidentiality protocols, safeguarding measures and the individual's specific needs.

⁽¹¹⁰⁾ Article 17 screening regulation.

⁽¹¹¹⁾ Refer to EUAA, [Family Tracing Form – Adult](#), 2025 and the EUAA, [Family Tracing Form – Child](#), 2025.



Information often needs to be shared ⁽¹¹²⁾ between different actors to guarantee the child's access to the international protection procedure and to ensure that appropriate reception conditions are provided, as well as to initiate family tracing. Sharing information should take place in full consideration of the principle of **confidentiality** and any information shared within the asylum context should be treated with care, considering the safety of the child and others involved (family members).

3.2. Conducting family tracing

The territorial scope, the actors involved, the methods applied and the purpose of the family tracing process may vary depending on where the family members are located. This section examines the different scenarios. It is possible that multiple family members need to be traced and, depending on their locations, multiple procedures may need to be conducted simultaneously.

The specific methods used in family tracing depend on national legislation, institutional frameworks and the circumstances of each case. These methods could involve the active participation of the child's representative, the state's social services, social services from other EU+ countries or social services in the country of origin. Additionally, international, intergovernmental and non-governmental organisations can provide invaluable assistance, particularly when family tracing occurs in the country of origin or a third country. This assistance may include contacting family members, conducting interviews where possible and other necessary actions.

3.2.1. Family tracing within the EU+

When a family member is in an EU+ country, family tracing under the AMMR is key to ensure that individuals seeking asylum are connected with their relatives already in the EU+ territory. Applicants must apply for asylum in the first EU country they enter and stay there until the determination of the Member State responsible for their case. The primary criterion is family links, prioritising reuniting applicants with EU-based family members. Authorities are tasked with providing information on family tracing, assisting unaccompanied minors and prioritising family reunification to ensure efficient asylum procedures.

Key obligations include:

⁽¹¹²⁾ Information should only be shared in line with applicable national and EU legislation on data protection, particularly [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (General Data Protection Regulation) (OJ L 295, 21.11.2018).



- informing the applicant about family tracing options and their rights to request the family tracing template ⁽¹¹³⁾ and available support from national and international organisations;
- providing details about the personal interview process, emphasising the need to submit information relevant to establishing the responsible EU+ country, particularly concerning family connections;
- organising the personal interview with the applicant to explore their family links, the whereabouts of family members and the relationship between them;
- assisting unaccompanied minors and/or dependent adults in engaging with family tracing organisations and gathering necessary information to assess their best interests.

While EU+ countries are not required to involve third-party organisations, the AMMR requests the authorities to facilitate access to family tracing organisations and provide the family tracing template. Early detection and prioritisation of family reunification cases are essential, ideally starting from the moment of screening. Early identification allows for prompt information collection and template completion, ensuring family-related cases are prioritised in the responsibility determination process. You can read more about family tracing in accordance with the AMMR in [Part II](#).

3.2.2. Family tracing in the country of origin or in a third country

In cases involving children and/or unaccompanied minors, where there are indications that family members are in a third country and it has been assessed to be in the best interests of the child to initiate family tracing, the following steps apply.

1. Additional information is collected from the child. The personal interview can be seen as a key opportunity to collect the additional information necessary to trace family members, as well as for further assessing the next steps and whether any eventual outcomes are in the best interests of the child. During the interview, specific information such as the child's last place of residence, the location where the child last saw their parents, the names or descriptions of family members and any significant events or locations associated with the family's separation can be gathered. These details are vital in constructing a clear picture of the child's background and in guiding the family tracing process. Furthermore, additional meetings may be arranged, if necessary, to collect further information that could support the tracing efforts and ensure that all decisions made are aligned with the child's best interests.
2. It may also be possible to collect relevant information from others. If the child travels with siblings or relatives (who are not considered responsible for them in the Member State) they may be able to provide additional information that the child does not have. It is possible that the child has shared information with others they travelled or stayed

⁽¹¹³⁾ Article 22(1), second and third subparagraphs, AMMR mandates the EUAA to create templates and guidance on family tracing, supporting the application of family-related criteria as laid down in Articles 25-28 and 34 AMMR. Refer to the EUAA, [Family Tracing Form – Adult](#), 2025 and the EUAA, [Family Tracing Form – Child](#), 2025.



with. Collecting information from third parties should, however, take place with caution and observing the rights of the child and their best interests.

3. Other actors may also be involved in the collection of necessary information. This could include national authorities, such as the embassy of the EU+ country in the third country or other organisations assisting with family tracing. Such actors may be in position to facilitate family tracing efforts and the next steps of the process, such as verifying family links. Therefore, well-coordinated **cooperation** is also very important to ensure that efforts are undertaken in an effective manner and in full respect of the rights of the child. The principles of **confidentiality** and **data protection** must be strictly observed in this context, considering that the child is an applicant for international protection and a breach of these principles could potentially endanger the family members or the child.

Once family members are found, the national authorities need to undertake the following steps.

1. Verification of family links. This could be conducted based on documentary evidence, where available, including the child's and their family members' statements that have been collected through means of family visits by different actors, direct contact, etc. Other evidence can also be used including, if necessary, DNA or blood tests as measures of last resort.
2. The assessment of the next steps and of the outcome of family tracing must primarily consider the best interests of the child. If the links have been verified, this assessment could be conducted within the scope of the international protection procedure and be taken into account in the decision-making process regarding the application of international protection.

Ethical considerations and challenges in family tracing

The ethics behind voluntary participation

Family tracing is an essential component of the asylum process, particularly for reuniting separated families. However, making family tracing a mandatory administrative duty may pose ethical dilemmas. Organisations such as the Restoring Family Links Network of the International Red Cross and Red Crescent Movement (RFL) ⁽¹¹⁴⁾ operate on the principle that the search for family members should stem from the request and the wish of the individuals concerned to clarify the fate and whereabouts of their relatives, including in the cases involving minors, while also taking into account their best interests. This principle ensures that the tracing process respects the autonomy and informed consent of all involved parties. The RFL Network's limitations in interacting with EU authorities on tracing are guided by

⁽¹¹⁴⁾ International Red Cross and Red Crescent Movement, Extension of the Restoring Family Links Strategy for the International Red Cross and Red Crescent Movement 2020-2030, October 2024, Rationale p.2-3, accessed on 8 November 2024 https://rcrcconference.org/app/uploads/2023/11/CoD24_RFL-Draft-Elements-EN.pdf; and Restoring Family Links code of conduct on data protection, 2016, accessed on 8 November 2024, <https://www.icrc.org/en/document/rfl-code-conduct>



their humanitarian objectives, working modalities and adherence to fundamental principles and standards. It is crucial for the authorities to respect these ethical considerations and ensure that participation in tracing is always based on explicit informed consent (where relevant, in view of the level of maturity of the child) or the proper best interests' determination. Family tracing within the asylum process is a complex and sensitive task that requires balancing ethical considerations with practical needs.

Addressing special protection needs in tracing

The prioritisation and urgency of tracing cases must take into account the protection needs of both the applicant and their family members. Special attention should be given to minors, individuals with disabilities or complex medical conditions and other vulnerable groups. For instance, an adult searching for a separated child should be given as much priority as a child found without an accompanying adult. An adult person not able to care for themselves for one reason or another (age, medical condition, disability) is also in a very vulnerable position. The assessment should be thorough and consider the immediate safety and long-term well-being of all parties involved. Ensuring that these cases are handled with the required sensitivity and urgency is crucial to protecting vulnerable individuals.

Tracing in contexts involving extended family members and caregivers

When a child arrives with extended family members or caregivers, it is vital to consider the emotional and psychological impact of separating them. Even if these individuals are not immediate family members, they can provide essential emotional support and stability for the child. Unless there are significant child protection risks, separation from these caregivers should be avoided. The well-being of the child should always be a primary consideration, ensuring they have a supportive environment during the asylum process.

The importance of accurate family tracing in adoption

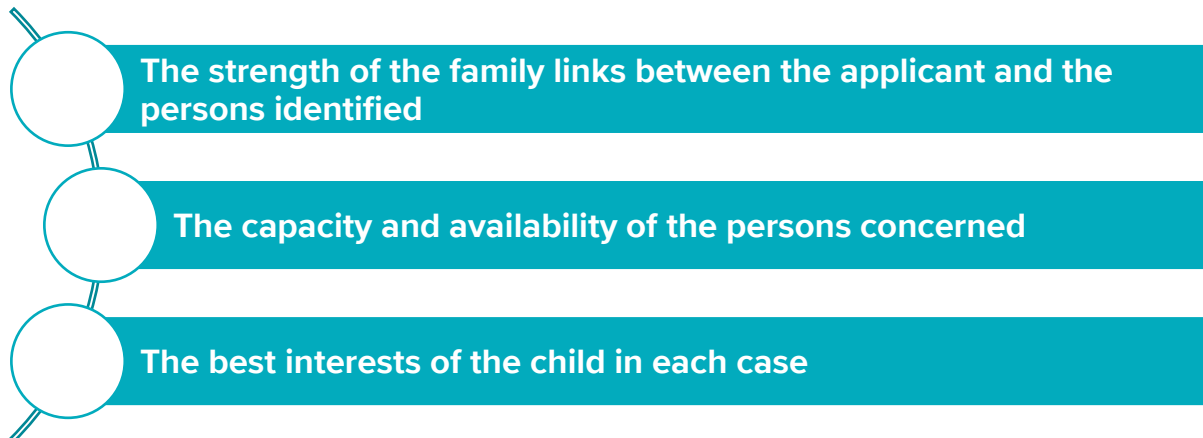
Effective family tracing is particularly important in preventing children from being placed for adoption when their biological parents or other family members are alive and willing to reunite with them. Missteps in tracing can lead to long-term consequences for children, including the permanent loss of family connections. Therefore, authorities must conduct thorough and accurate family tracing to ensure that children are not unnecessarily placed in adoption or systems unless all means of tracing have been exhausted and it is considered to be in the best interests of the child. This process should include verifying the status and intentions of biological parents and other relatives, ensuring that the child's best interests are served in all decisions.

3.3. Outcome of family tracing

In cases involving children, the decision regarding the outcome of family tracing — whether it leads to family reunification, restoration of family links or no contact and no reunification — is guided by a thorough assessment of the best interests. This decision is usually made by the child's representative in close coordination with national authorities and relevant organisations.

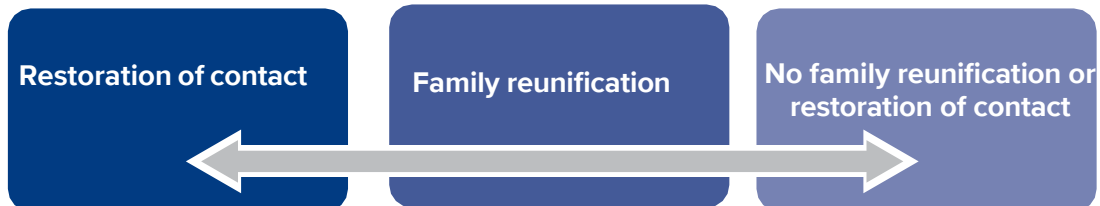


The following need to be considered.



The best interests assessment does not require a formalised procedure, but:

1. It must be conducted by trained staff ⁽¹¹⁵⁾;
2. its outcome is to be documented and information needs to be accessible to those actors who need it to further support the child in the process;
3. the child is to be invited to actively take part in the process by sharing their opinion and views on a potential family reunification.



Family reunification, depending on the particular circumstances, could take place in the EU+ country where the child is located. This could be the case, for example, when family reunification is applied following the decision to grant international protection to the child.

Family reunification can also take place in another EU+ country. For example, it could be found to be in the best interests of the child to reunite with a family member, sibling or relative legally residing in another Member State, which would then be considered the Member State responsible for examining the application of the child ⁽¹¹⁶⁾.

⁽¹¹⁵⁾ The best interests assessment is conducted in consultation with the guardian/representative and with other actors involved in the tracing process (tracing services, actors who may have been in contact with the family in the country of origin, etc.).

⁽¹¹⁶⁾ In compliance with Article 22 CRC 'the right to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family'; and Article 10(3)(a) family reunification directive provides that the Member States 'shall authorise the entry and residence of his/her first-degree relatives in the direct ascending line without applying the requirements of Article 4(2) [of this directive]'. Article 10(3)(b) lays down that this authorisation may be applied to 'his/her legal guardian or any other member of the family, where the refugee minor has no relatives in the direct ascending line or such relatives cannot be traced.'



Family reunification could also take place in the **country of origin or a third country** where the family member is located, once the best interests have been duly determined and indicate that the reunification is in the child's best interests.

Similarly as is the case for children, the decision regarding family tracing outcomes of cases concerning dependent adults — whether leading to family reunification, restoration of family links or no contact — is based on a comprehensive assessment of their best interests and specific needs. This decision is made in coordination between the adult's representative, national authorities and the relevant organisations, ensuring the adult's autonomy and preferences are respected to the greatest extent possible.

3.4. Post-family tracing support and follow-up

The process of family tracing may place the applicant in a difficult position during what is already a stressful period. Applicants seeking protection in the EU+ territory have often experienced many difficult moments, such as leaving their home behind, being far from family and friends and experiencing challenges during their travels. An appointed representative or guardian is a key person to support the child or, if applicable, the dependent adult, during and after the family tracing procedure. Such an appointment is as a key procedural safeguard⁽¹¹⁷⁾.

Children have a remarkable capacity for resilience; they may be able to recover, grow stronger and find happiness again after experiencing challenging situations or events. The following sections outline various approaches and guidelines for providing support and ensuring proper follow-up, with a focus on promoting the child's well-being and long-term recovery.

Psychosocial support to the child during the family tracing process

Children going through a family tracing process find themselves in a situation where they are often unsure as to the whereabouts of family members or if they are still alive. They may also feel anxious about the outcome of the tracing and what will happen next. They might present with signs of distress, feelings of anxiety, hopelessness and isolation. Providing mental health and psychosocial support from the earliest stages of their journey can help create a sense of safety and comfort, enabling these children to better navigate their new reality. It is crucial that they do not feel abandoned or alone during this process.

⁽¹¹⁷⁾ UN Committee on the Rights of the Child, [General comment No 6 \(2005\) Treatment of unaccompanied and separated children outside their country of origin](#), CRC/GC/2005/6, 1 September 2005, paragraph 21.



**Checklist: psychological support during family tracing**

By following this checklist, caregivers and professionals can support children in distress, helping them to navigate challenging situations with resilience and emotional stability.

Build a relationship of trust

- ☐ Establish trust to help children feel safe and supported.
- ☐ Create an environment where children are comfortable disclosing their experiences and feelings.

Encourage healthy coping mechanisms

- ☐ Support children in managing stress and maintaining emotional stability (e.g. by practicing mindfulness).
- ☐ Use strategies such as emotional regulation and humour to foster a positive outlook.
- ☐ Encourage the expression of positive emotions using different approaches, such as creative activities.
- ☐ Provide opportunities for children to express themselves without forcing them to relive negative experiences (e.g. writing poems).

Promote acceptance of the situation

- ☐ Guide children in understanding and dealing with their circumstances constructively.
- ☐ Emphasise that acceptance is about coping, not resignation.

Foster a sense of hope

- ☐ Encourage children to look forward to a better future while managing realistic expectations.
- ☐ Strike a balance between nurturing hope for the future and managing expectations based on the reality of the situation. This balance should be carefully maintained to ensure that hope remains grounded in what is realistically achievable.
- ☐ Use hope as a tool to help children recover and regain happiness after adversity.

Communicate with care and sensitivity

- ☐ **Respect boundaries.** Avoid pressuring children to discuss uncomfortable topics and respect their need for time if they are not ready to share.
- ☐ **Treat with respect.** Show the same level of respect and honesty as you would with adults. Avoid making unrealistic promises.
- ☐ **Be sensitive.** Use a caring tone and simple language that children can easily understand.
- ☐ **Observe and identify distress.** Monitor for signs of distress or concerning behaviour that may require specialised support.



□ **Ensure age and cultural appropriateness.** Tailor your engagement to the child's age and cultural background, recognising that even children that seem mature need age-appropriate emotional responses ⁽¹¹⁸⁾. Consider the possibility to employ cultural mediators to act as bridges between children and the authorities, helping to facilitate communication and understanding by interpreting not only language but also cultural nuances. Their involvement can significantly enhance communication by addressing language barriers and ensuring cultural sensitivity.

In cases of post-family tracing support and follow-up, dependent adults require assistance that is carefully tailored to their specific needs, recognising that a one-size-fits-all approach may not be effective. Having left behind familiar support systems, communities and sometimes extended families, these individuals face the challenge of integrating into a new society while carrying the emotional weight of prolonged family separation.

It is recommended to appoint a supportive case officer or social worker who can provide individualised guidance, together with the guardian, to ensure that each person feels genuinely supported. Tailored psychosocial support that addresses unique emotional, mental health and cultural needs can foster resilience. This is done through recognition of and responding to their individual experiences, helping to mitigate feelings of anxiety, isolation and uncertainty. This personalised approach, grounded in culturally sensitive communication and coping strategies, promotes a gradual sense of stability and well-being, empowering dependent adults to better respond to the situation.



Practical tip

Visual tools for emotional expression

To help children navigate their feelings and reduce confusion, it is essential to use visual tools and make conversations as child-friendly as possible. These methods not only facilitate communication but also help children process their emotions in a safe and structured way. Here are some suggestions.

1. **Family network map.** Collaboratively create a family network map with the applicant. This visual representation can include drawings or photos of family members and connections, helping the applicant visualise their family structure. It can be a comforting reminder of their loved ones and a way to discuss feelings about separation or reunion.
2. **Lifeline/biography creation.** Work with the applicant to develop a lifeline or biography. This can include key events in their life, significant memories and milestones. This activity provides space for the child to talk about missing parents and the emotions associated with those memories. It can be an invaluable tool for acknowledging and validating their feelings.

⁽¹¹⁸⁾ EUAA, [Guidance on Mental Health and Well-being of Applicants for International Protection: Part II – for those working in the first line](#), 2024.



3. **Emotion wheels or cards.** Use emotion wheels or cards to help the applicant identify and articulate their feelings. These tools can be especially helpful for younger children or those who struggle to express emotions verbally. By pointing to or selecting images that represent different emotions, children can communicate their feelings more easily.
4. **Storytelling and art therapy.** Encourage the applicant to share stories or create artwork that reflects their experiences and emotions. This creative expression can be a powerful way for them to process complex feelings and experiences, such as loss, fear and hope.
5. **Interactive journals.** Provide the applicant with an interactive journal where they can draw, write or use stickers to express their thoughts and feelings. This can be a private space for self-reflection or a shared activity with a guardian or counsellor.

Integrating physical activities and stress management

Incorporating physical activities and stress management techniques can further support children's emotional well-being.

1. **Sports and music lessons.** Facilitate enrolment or participation in sports or music activities as a form of distraction and physical release. Explain how these activities can help reduce stress, improve mood and provide a sense of accomplishment.
2. **Mindfulness and relaxation exercises.** Create awareness on the importance and usefulness of relaxation techniques and the importance of nurturing mindfulness. These practices can help them manage stress and anxiety, providing tools they can use in challenging situations.
3. **Yoga and movement games.** Introduce yoga or movement-based games that combine physical activity with relaxation. These activities can be both fun and beneficial, helping release pent-up energy and calm their minds.

Cultural and faith coping mechanisms

Helping children maintain cultural and religious practices can be a crucial source of comfort and resilience.

1. **Cultural storytelling and traditions.** Engage children in storytelling or cultural traditions from their background. This can help them feel connected to their heritage and provide a sense of identity and continuity.
2. **Supporting faith practices.** Assist children in practising their religion, whether through prayer, attending services or other rituals. Understanding and respecting these practices can provide a stable foundation and a sense of community, especially in a new environment.
3. **Balancing cultures.** Guide children in balancing their original cultural practices with those of the new society. This can involve discussing how they can integrate traditions and customs from both cultures in a way that feels comfortable and meaningful to them.



Be aware that while all the activities listed above are valuable, they should only be conducted by individuals **with the appropriate level of expertise**. Activities such as



sports, music lessons or simple creative tasks can be led by community members or counsellors. However, more specialised activities such as art therapy or interventions addressing trauma must be facilitated **by trained professionals**. Engaging in activities beyond one's expertise could potentially cause harm, especially if a child experiences a crisis. It is crucial to follow these guidelines to ensure the safety and well-being of the children.



Related EUAA publication

For more detailed information refer to EUAA, *Guidance on Mental Health and Well-being of Applicants for International Protection*, [Part II – for those working in the first line](#) and [Part III – Toolbox to support those working in the first line](#), 2024.

3.4.1. Follow-up

For effective follow-up, it is crucial to provide continuous support and clear communication with the applicant and their family regarding the next steps in the process. Experience suggests that regular contact between the guardian or representative and the family members during family tracing or reunification procedures can significantly benefit the outcome. Involving the family in these procedures can reduce the pressure on the applicant and help manage the family's expectations. If the usual means of communication have been disrupted, the worldwide Red Cross and Red Crescent RFL network can be used ⁽¹¹⁹⁾.

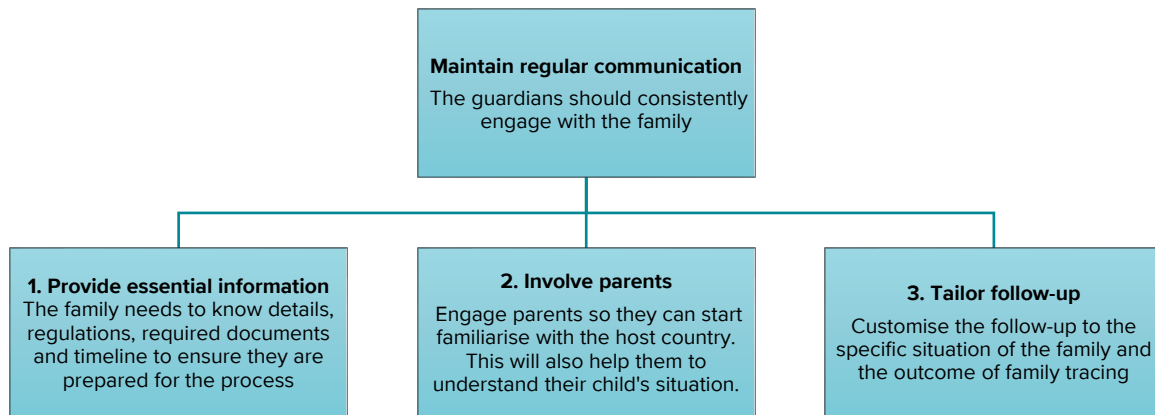
In any case, the follow-up must be tailored to the needs of the specific case, based on:

- (i) the situation of the applicant;
- (ii) the family; and
- (iii) the outcome of family tracing.

⁽¹¹⁹⁾ National Societies of the Red Cross and Red Crescent Directory. <https://www.ifrc.org/national-societies-directory>, accessed 7 November 2024. ICRC, 'Contact us', ICRC website, undated, accessed 7 November 2024, <https://familylinks.icrc.org/directory>.



Figure 3. Follow-up – main actions



The types of actions that can be taken **to tailor** the support based on different situations are detailed below.

If family reunification is decided to take place in a third country



Clear communication of the next steps. It is beneficial for the Member State to clearly communicate the process and steps that will be taken for the transfer and upon their arrival. Providing detailed information about the next steps — and sharing it with the individual and their family — can significantly reduce anxiety and uncertainty. Information about the individual's situation, including activities and the

interventions they have experienced in their current location, should accompany them during the transition to reunite with family members. This ensures that the receiving authorities are aware of any specific needs the individual may have, allowing for appropriate care and support.

Informing the child about the transfer process. If the representative has information about what will happen once the child / family member arrives in the third country, they should share it with the applicant and their family. Knowing what to expect can help feeling more secure and prepared for the transition.

Preparing the applicant for transition. Prepare the applicant for their new environment. This means practical and emotional readiness. The representative can help the applicant understand cultural differences, language barriers – if any – and what to expect in their new home. This preparation can include role-playing scenarios, learning about the new country's customs and practices and addressing any fears or concerns.



Integration and social support. Facilitating the applicant's integration into the new family setting is essential for their long-term well-being. The representative can work with local organisations to arrange social activities, educational support and peer groups that can help the child build a sense of belonging and community in their new environment.

Monitoring and reporting. Regular monitoring and reporting on the child's progress and well-being are crucial. This ensures that any issues are promptly addressed and that the applicant continues to receive the necessary support. The representative should maintain communication with relevant authorities and organisations involved in the child's care.

If family reunification is decided in the host country of the child



Clear communication of the next steps. It is important for the guardian or representative to communicate the process and actions that will be taken once the family arrives. Providing detailed information about what is needed and what will happen next can significantly reduce the child's anxiety and uncertainty. For example, it is essential to inform the family about any regulations, necessary

documents, costs and the expected duration of the procedure. Additionally, by guiding and supporting the family members, the child feels less burdened to manage everything on their own, alleviating any potential sense of responsibility they might feel towards the potential difficulties that the family may encounter.

Preparing the applicant/family member for transition. Prepare the applicant for the changes that will happen in their life once their family member has arrived. The guardian or representative can help the child understand how their own level of integration in the country may completely differ to the level of integration of their family once they have arrived in the new society. The family will need to familiarise themselves to a completely new culture and society whilst the child may for example already speak the local language, know the rules and have made friends. This will have an impact on the dynamics within the family. This preparation can include role-playing scenarios and addressing any fears or concerns the child might have. To minimise the 'integration gap' between the child and their family members once reunited in the host country, it can also be valuable to involve the parents in their child's development, if this is in the best interests of the child. This involvement helps both the family and the applicant to become aware of the traditions and values of the host country, including the integration process.

Continued emotional support. Emotional support should not cease upon the family member(s) arrival in the host country. Having the guardian or representative support during a certain transition period (e.g. over some few weeks/months) can be helpful to allow proper settling within the new family dynamics. This can take place by organising initial video calls or short visits in the first few months.



Monitoring and reporting. Regular monitoring and reporting on the progress and well-being are crucial. This ensures that any issues are promptly addressed and that the applicant continues to receive the necessary support. The guardian or representative should maintain communication with relevant authorities and organisations involved.

If the decision is to restore contact with the family without reunification



Facilitating communication. It is essential to facilitate regular communication between the applicant and their family. This can be done through phone calls, video chats and letters. The representative should help set up and maintain these channels of communication.

Emotional support and guidance. The applicant may need ongoing emotional support to navigate the complexities of staying connected with their family while remaining physically apart. It is important to provide guidance on how to maintain meaningful relationships despite the distance and help the child process any mixed feelings they may have.

Exploring future possibilities. The representative may also assist in exploring potential future possibilities for reunification or visits, providing the child with a sense of hope and a long-term perspective. This may involve staying informed about any changes in the family's situation or legal status that could enable future reunification.

If neither reunification nor restoring contact is possible



Developing a support network. It is critical to focus on building a strong support network for the child in their current location. This includes establishing connections with local social services, educational institutions and community groups that can offer support and stability.

Creating a sense of belonging. Authorities should work towards helping the applicant develop a sense of belonging and identity within their new environment. This can involve participating in cultural and recreational activities, forming friendships and engaging with local communities.

Long-term care planning. Ensuring a clear long-term care plan is essential. This includes collaboration with relevant authorities to secure the applicant's legal status, care arrangements including accommodation, educational opportunities and access to healthcare and other necessary services.



Psychological and emotional support. Providing consistent psychological and emotional support is paramount. The applicant may need counselling or therapy to process their experiences and cope with the lack of family contact. It is key to facilitate access to these services and provide continuous emotional support.



Focus on family tracing: when a family member is found to be deceased

When a family member who has been traced is found to be deceased, it is crucial to handle the situation with compassion, dignity and adherence to internationally recognised standards. This section provides guidance on the necessary steps to take in such cases, ensuring that families receive the support they need and that the identification of the deceased is handled professionally and ethically.

1. Sensitive communication with families

Families must be informed promptly and with care when a deceased family member has been identified. Communication should be done by professionals and should be clear, compassionate and protection-sensitive, ensuring that families understand the next steps. This includes providing detailed information on the possibility of repatriating the remains and respecting the family's preferences during this difficult time.

2. Recognising the rights and needs of families

Families of the deceased should be supported and referred to specialised personnel immediately. Their emotional and legal needs must be prioritised, with protocols in place to provide specialised support. This may involve facilitating access to visas so that family members can visit, pay their respects and participate in key processes, always ensuring that their rights are fully and continuously respected.

3. Administrative support and legal recognition

To reduce the administrative burden on families, national authorities should issue absence certificates that are recognised across borders. This can help families navigate complex legal processes and move forward without unnecessary delays or obstacles, especially where legal closure is critical to their psychological recovery.

4. Transnational cooperation for family protection

International collaboration is essential in supporting families of the deceased. This transnational cooperation must prioritise humanitarian needs and safeguard the personal data and dignity of the deceased and their families.

Risk management during family tracing

During the family tracing process, various risks can emerge for the child while waiting for the outcome. Effective risk management strategies are essential to safeguard the child's well-being during this period. The following table summarises the key risk factors and corresponding measures to mitigate them. Recognising the uniqueness of each case a proper risk assessment exercise should be carried out prior to tracing and could be adjusted if new risks emerge.



Table 1. Managing Risks in Family Tracing

Risk factor	Description	Management
Psychological stress	The uncertainty and anxiety about the outcome of family tracing can lead to significant psychological stress for the child.	It is crucial to ensure the applicant has a trusted person available, such as a guardian, who can offer ongoing support and emotional security. Additionally, ensure access to activities that promote mental health and well-being, fostering emotional stability. Provide regular psychosocial support and, where applicable, counselling. Establish a stable and reassuring environment.
Misinformation	The applicant may receive inaccurate or misleading information about the family tracing process, leading to false hope (or the opposite – reluctance to participate in the tracing process) or distress.	Maintain transparent and honest communication. Ensure that any information provided is accurate and verified and prepare the applicant for all possible outcomes. It is essential to verify all information thoroughly and communicate transparently with all parties involved. It is also important for officers to acknowledge when they do not have certain information. In such cases, officers should clearly indicate this, while committing to follow up and provide the necessary information as soon as it becomes available. Maintaining these commitments is crucial, as it reinforces trust throughout the process.
Lack of confidentiality	The applicant's sensitive information might be exposed during the tracing process, leading to privacy violations and potential harm.	Inform the applicant about the confidentiality principle. Implement robust data protection measures to secure all personal information. Regularly audit and update security protocols to prevent unauthorised access
Discrimination and stigmatisation	The applicant may face discrimination or stigmatisation within their current environment, particularly if their background or circumstances become known.	Foster an inclusive and supportive environment. Educate all involved parties, including peers, of the importance of treating one another with respect, empathy and dignity. Create awareness through regular sessions with children on the negative impact of stigmatisation.
Emotional isolation	The applicant may feel isolated and lonely while waiting, especially if they are in a new and unfamiliar environment.	Encourage social interaction and the formation of supportive peer relationships. Provide opportunities for engagement in community activities and build connections.



Risk factor	Description	Management
Physical safety – trafficking and exploitation	Children and dependant adults may be vulnerable to trafficking and exploitation, especially if they lack adequate supervision while waiting for family tracing outcomes. Additionally, their exposure to physical danger increases if their location or identity becomes known to malicious actors, such as traffickers or persecutors.	Maintain the confidentiality of the applicant's location and identity until a reunification decision is made. If risks such as abscondment, trafficking or exploitation are identified, collaborate with safe shelters awaiting family reunification. Ensure continuous supervision and monitoring while collaborating with anti-trafficking organisations to provide additional protection, including awareness sessions on risks like trafficking and exploitation.
Disruption of education	Uncertainty about their future may disrupt the child's education and learning process.	Maintain the child's educational routine and provide additional academic support if needed, especially if the child is integrating into a new linguistic environment. Ensure that the child's educational needs are met regardless of the ongoing family tracing process. Talk to their teacher(s) to make them aware of the stressful period the child is currently facing.
Health issues	Stress and uncertainty can negatively impact physical health, leading to issues such as poor nutrition, sleep disturbances or psychosomatic symptoms.	Regular health check-ups and access to medical care are essential. Promote a healthy lifestyle with balanced nutrition, physical activity and adequate rest.



4. Best practices and methods for family tracing

4.1. Best practices for family tracing activities

Effective family tracing and reunification efforts in field operations require the implementation of best practices that ensure thorough and coordinated responses, with the involvement of several stakeholders. The personnel of the asylum authority often rely on the crucial support of non-government organisations. These partnerships enable the pooling of resources, knowledge and expertise, thereby enhancing the overall effectiveness of family tracing efforts. By working together, these organisations can offer a better coordinated and comprehensive response, ultimately leading to more successful outcomes in reuniting families and restoring stability in the lives of displaced individuals.

The RFL ⁽¹²⁰⁾ services underscores the importance of protecting the humanitarian mandate of the RFL mission. It preserves confidentiality for the families benefitting from the RFL service. The inclusion of the family members needs to be at the centre when proceeding with family tracing and reunification and their will must be respected. The RFL Network also promotes regular communication between the child and their family, in line with the means available and interests/needs of the parties, as part of the preparation for the family reunification process.

Furthermore, it is a critical best practice to **provide tailored legal and logistical support**. It is a best practice to inform the applicant of UNHCR's Family Reunification Services ⁽¹²¹⁾, which provide essential **legal assistance** guiding them through the often-complex family reunification, process while collaborating closely with national governments to expedite these cases. Another best practice is to leverage specialised cross-border expertise, exemplified by the International Social Service (ISS) ⁽¹²²⁾ which provides **holistic services**, including legal advice, social work and advocacy, particularly for families separated by national borders.

Additionally, incorporating **logistical and practical support**, as done by the International Organization for Migration (IOM) ⁽¹²³⁾, is crucial. IOM's best practices include offering family tracing services, coordinating travel arrangements, and providing the necessary legal and logistical assistance to reunite families effectively.

⁽¹²⁰⁾ More information is available online at <https://familylinks.icrc.org/>, International Committee of the Red Cross website, accessed 08 November 2024.

⁽¹²¹⁾ More information is available online at <https://help.unhcr.org/faq/how-can-we-help-you/family-reunification/>, UNHCR website, undated, accessed 8 November 2024.

⁽¹²²⁾ More information is available at <https://iss-ssi.org/>, ISS website, undated, accessed 8 November 2024.

⁽¹²³⁾ More information is available at <https://www.iom.int/movement-assistance>, IOM website, undated, accessed 8 November 2024.



4.2. Technical tools for family tracing

When focusing specifically on tools and platforms dedicated to applicants, the goal is to address the unique challenges they face, such as separation from family during migration, loss of contact due to displacement and the complexities of legal processes for family reunification. In the context of international migration, information is dispersed across various countries, complicating efforts to trace missing persons. Data collection platforms face challenges, such as adults not disclosing their whereabouts or unaccompanied children disappearing from reception centres. International organisations such as UNHCR and the Red Cross are cautious about sharing sensitive information that could compromise safety. Additionally, the lack of a legal framework for sharing data between state and non-state actors hinders the identification of missing individuals, especially in cases involving unidentified bodies, where forensic experts require judicial authorisation to share information.

The RFL Network, coordinated by the ICRC's Central Tracing Agency, offers free and confidential services to individuals searching for missing relatives or wishing to inform their families of their whereabouts. The network uses digital tools and platforms to manage cases and trace missing persons.

In 2021, Interpol launched I-Familia⁽¹²⁴⁾, a database that allows families to provide DNA samples under strict safeguards.

Below are the key tools and platforms that are particularly relevant to applicants.

Organisation	Platform	Description	Key features
International Red Cross and Red Crescent Movement (RFL service)	Restoring Family Links, https://familylinks.icrc.org/	The ICRC and National Societies of the Red Cross and Red Crescent operate this platform to help asylum seekers and refugees reconnect with family members separated by conflict, migration or disasters. The platform allows individuals to find the nearest ICRC office to access the RFL service and/or access online services where available. The RFL	Global reach: operates in multiple countries, making it accessible to asylum seekers worldwide. Personalised support: local Red Cross and Red Crescent societies offer direct assistance with tracing and reconnecting families. Privacy and security: prioritises the safety and confidentiality of asylum seekers, which is crucial in vulnerable situations.

⁽¹²⁴⁾ Interpol, 'I-Familia', Interpol website, undated, accessed 7 November 2024, <https://www.interpol.int/How-we-work/Forensics/I-Familia>.



		<p>service in many contexts offers the service of sending important documents from one country to another, which could be highly relevant as part of reunification preparation process.</p>	
	<p>Trace the Face service, https://tracetheface.familylinks.icrc.org/?lang=en</p>	<p>This platform also includes the Trace the Face service which is tailored for migrants and asylum seekers. Persons looking for their loved ones can publish a photograph of themselves on the website, with the objective of being recognised by their family members and trigger a family contact through an ICRC office.</p>	
Refugees United	<p>REFUNITE, https://refunite.org/</p>	<p>REFUNITE is a mobile and online platform specifically designed to help refugees and asylum seekers find missing family members. Users can create an anonymous profile and search for family members using available information such as names, locations and other identifying details.</p>	<p>Accessibility: optimised for mobile devices and low-bandwidth areas, making it accessible to asylum seekers who may have limited internet access.</p> <p>Anonymity: protects the identities of users, allowing asylum seekers to search for family members without compromising their safety.</p> <p>SMS-based services provide an SMS-based search option, which is particularly useful in regions with limited internet connectivity.</p>



Interpol	I-Familia, https://www.interpol.int/How-we-work/Forensics/I-Familia	I-Familia is an innovative DNA database launched by Interpol in 2021 to help identify missing persons through family DNA matching.	<p>Family DNA matching: allows relatives of missing persons to provide DNA samples for comparison with unidentified human remains.</p> <p>Global reach: accessible to law enforcement agencies worldwide for missing persons and disaster victim identification.</p> <p>Privacy and security: operates with stringent safeguards to protect sensitive genetic data.</p> <p>Complementary to existing systems: works alongside other platforms, addressing cases where direct DNA profiles of missing individuals are unavailable but family members can be identified.</p>
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4.3. Overview of methods used

This table provides a non-exhaustive overview of the methods used in family tracing, highlighting the key stakeholders involved and the advantages and challenges associated with each approach.

Methods	Who is involved (including non-state actors)	Pros	Cons
Interview with the child	Social workers, child protection officers, guardian/representative, psychologists, non-governmental organisations (NGOs), intergovernmental organisations (IGOs)	Direct insight into the child's experience; builds trust.	Child may be emotionally affected or have difficulty recalling or providing detailed information. Therefore, efforts should be made to limit the number of interviews that



	and international governmental organisations (IGOs).		could be potentially traumatic for the child.
Interview with family members	Social workers, child protection officers, guardian/representative, psychologists, NGOs, IGOs.	Provides detailed family history and context. Establishes direct communication; enables immediate verification of information.	Family members may be difficult to locate; there is a risk of providing incomplete or biased information. Potential risks related to child protection must be carefully assessed to ensure the child's safety and well-being. To be carefully considered.
Use of national databases / records in the host country	Government agencies, immigration services, law enforcement, NGOs.	Accessible and often comprehensive; useful for confirming legal status and history.	May have data privacy restrictions; might not include all relevant information. Procedures to gain access to them may be lengthy.
Use of databases / records in other EU+ countries	Government agencies, law enforcement, EU institutions, NGOs.	Cross-referencing increases chances of success; can track movement across borders.	Data-sharing restrictions between states; potential language barriers; might not include all relevant information.
Use of databases / records in the country of origin / records in other countries	Government agencies, international organisations, embassies, consulates, NGOs.	Expands the search globally; useful in cases of diaspora.	While valuable, there can be bureaucratic delays and potential lack of cooperation from the country of origin. It is crucial to exercise caution in cases involving asylum applications to ensure that sensitive information is handled with utmost care, avoiding any actions that could compromise the safety or protection of the individual seeking asylum. To be carefully considered.

Involvement of social services in the country of origin	Government social services, NGOs, IGOs, community-based organisations.	Can provide cultural context; supports long-term reunification.	Coordination challenges and varying quality of services depending on local resources; potential risks for the child or the family; careful consideration is required to ensure that engaging these services does not inadvertently expose the child or family to further harm, especially in cases involving asylum or protection concerns. To be carefully considered.
Involvement of International Social Service / IGOs / NGOs	UNHCR, IOM, Red Cross, Save the Children, other humanitarian organisations.	Access to specialised expertise and global networks; holistic approach to reunification. Coordination among multiple organisations can foster innovative solutions.	The response time can be lengthy due to the involvement of multiple organisations, potentially delaying family reunification efforts. Additionally, there is a risk of re-victimisation, as these organisations may rely on information directly collected from the child and/or family members. Furthermore, their strict adherence to their humanitarian mandates may limit the amount of information they are willing to share with authorities, as their primary role is to act on behalf of the family in the tracing process.
Involvement of faith organisations	Churches, mosques, temples, faith-based NGOs.	Trusted in communities; can quickly mobilise local support; may have access to local records and networks.	May have limitations in resources and expertise to handle complex or sensitive cases, particularly those involving child protection or trauma; potential risks if biases based on religious affiliations affect the impartiality or

			inclusiveness of support, which could affect the safety and well-being of vulnerable individuals. To be carefully considered.
Online platforms	Social media platforms, specialised family tracing websites.	Wide reach, allowing for fast dissemination of information and connection across borders; can be accessed globally, providing broader search capabilities.	Privacy and security concerns are critical, particularly when handling sensitive data that could jeopardise the safety of individuals if not properly protected; disparities in access to technology or the internet may exclude some vulnerable individuals, limiting their ability to participate in the tracing process and potentially leaving them without necessary protection. To be carefully considered.
Technology providers	Companies offering tech solutions like databases, facial recognition and communication tools.	Offer innovative tools that enhance search efficiency, such as databases and facial recognition; can provide secure and scalable solutions.	High costs and resource demands can limit access to crucial technology, particularly in low-resource settings where vulnerable individuals might be left without necessary support; technology may also fail to fully address the overall safety and well-being of concerned individual. To be carefully considered.
Community leaders	Local elders, tribal chiefs, village heads, respected community figures.	Deep understanding of the local context and cultural dynamics; respected figures can facilitate trust and cooperation.	There is a risk of partiality or bias, particularly in conflict-affected areas, which could compromise the fairness and safety of the support provided; their involvement might be limited to specific regions or groups. To be carefully considered.



Annex I. Legal framework – a focus on children's rights

Some children move across borders without the care of a responsible adult or they may be left unaccompanied after or prior to entering European territory. The risks of losing one's family are high. Family separation might occur by accident, for instance because of crisis situations or restrictions of freedom of movement. Leaving children alone might also be a protective and coping measure undertaken by parents and/or children, where the situation becomes life-threatening, and resources are exhausted.

Due to their inherent vulnerability, children travelling on their own through unknown countries are exposed to a higher risk of violence and abuse. In some cases, other factors could further increase their vulnerability, as the child may be undocumented, stateless or in need of international protection.

The **EU Strategy on the Rights of the Child** ⁽¹²⁵⁾ aims to reinforce the full commitment of the EU — as enshrined in the Treaty of Lisbon ⁽¹²⁶⁾ and the Charter — to promote, protect and fulfil the rights of the child in all relevant EU policies and actions.

This commitment is reinforced by various instruments, including those detailed below.

EU Child Guarantee ⁽¹²⁷⁾. This initiative ensures that children in need have access to essential services, such as healthcare, education, childcare and housing.

Commission Communication on Children in Migration (COM/2017/211) ⁽¹²⁸⁾. This communication addresses the specific needs of migrant children, emphasising their protection needs and integration.

Action Plan on Integration and Inclusion 2021–2027 (COM/2020/758) ⁽¹²⁹⁾. This plan outlines measures to support the integration and inclusion of migrants and those in need of international protection, including children, into EU societies.

⁽¹²⁵⁾ European Commission: EU Strategy on the Rights of the Child, 24 March 2021, accessed 22 January 2024, https://commission.europa.eu/document/86b296ab-95ee-4139-aad3-d7016e096195_en.

⁽¹²⁶⁾ Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13 December 2007, <https://eur-lex.europa.eu/eli/treaty/lis/sign>

⁽¹²⁷⁾ European Commission: European Child Guarantee, 24 March 2021, <https://ec.europa.eu/social/main.jsp?catId=1428&langId=en>

⁽¹²⁸⁾ Communication from the Commission to the European Parliament and the Council – The protection of children in migration, COM(2017) 211 final of 12 April 2017, <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:52017DC0211>

⁽¹²⁹⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions – Action plan on Integration and Inclusion 2021-2027, COM(2020) 758 final of 24 November 2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0758>.



These frameworks collectively work to safeguard children's rights and well-being, ensuring that their specific needs are met and that they are protected throughout their journey and upon arrival in the EU.

The Charter guarantees that children are entitled to the protection and care necessary for their well-being. It also ensures that children have the right to freely express their views on matters affecting them, with their opinions being given due consideration according to their age and maturity. Additionally, Article 7 of the Charter underscores the importance of respecting family life, a core principle that guides family reunification efforts. This commitment to safeguarding family unity and the rights of the child is central to EU policies, ensuring that all actions prioritise the best interests of the child and uphold the integrity of family life.

The best interests of the child principle, enshrined in the CRC ⁽¹³⁰⁾, is reaffirmed in the Charter by stating that in all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.

As the CRC Preamble acknowledges, family is 'the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children' ⁽¹³¹⁾ and it should be protected and assisted. The principle of family unity, recognised further in the European Convention on Human Rights (Article 8) should be taken into account when assessing the best interests of the child. In accordance with Article 24(3) of the Charter, family unity is a part of this assessment, along with the minor's well-being and development, safety and security considerations and the views of the minor in accordance with their age and maturity.

In addition to the best interests of the child, in the specific context of family tracing, several other rights, as enshrined in the CRC, come into play when considering family tracing.

- The right to **name, nationality and parental care** ⁽¹³²⁾.

*1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, **the right to know and be cared for by his or her parents.***

- The right to **preservation of identity including nationality, name and family relations** ⁽¹³³⁾. The identity of the child includes the gender identity, sexual orientation, religion, beliefs, cultural identity, personality and the right to access information about their biological family, in accordance with the legal regulation of the given country.
- The right to **preservation of the family environment and maintaining personal relations** and direct contact with the child's parents ⁽¹³⁴⁾. Article 9 CRC states:

⁽¹³⁰⁾ [General Assembly, Convention on the Rights of the Child, 20 November 1989, General Assembly resolution 44/25, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child](https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child)

⁽¹³¹⁾ UN General Assembly, [Convention on the Rights of the Child](https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child), 20 November 1989, United Nations, Treaty Series, vol. 1577, Preamble, p. 1.

⁽¹³²⁾ Article 7 CRC.

⁽¹³³⁾ Article 8 CRC.

⁽¹³⁴⁾ Similar content can be found in Article 24(3) of the Charter.



1. [...] a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child.

[...]

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

- The right to **family reunification** is laid down in Article 10 CRC:

1. [...] applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. [...]

Furthermore, Article 22 CRC establishes that:

2. [...] States Parties shall provide ... co-operation in any efforts ... to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family.

With regard to refugee children, Article 10(3) of Council Directive 2003/86/EC (family reunification directive) ⁽¹³⁵⁾ provides that the Member States:

(a) shall authorise the entry and residence for the purposes of family reunification of his/her first-degree relatives in the direct ascending line without applying the conditions laid down in Article 4(2)(a);

(b) may authorise the entry and residence for the purposes of family reunification of his/her legal guardian or any other member of the family, where the refugee has no relatives in the direct ascending line or such relatives cannot be traced.

- The respect for the **views of the child** ⁽¹³⁶⁾. All children have the right to express their views freely. The views of the child are to be given due weight, on all matters which concern them, in accordance with their age and maturity. For this purpose, the child must in particular be provided with the opportunity to be heard in any judicial and administrative proceedings affecting them.
- The protection against interference with **privacy, family life, home and correspondence** ⁽¹³⁷⁾. It protects the private life of children against arbitrary

⁽¹³⁵⁾ [Council Directive 2003/86/EC](#) of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003).

⁽¹³⁶⁾ Article 12 CRC; a similar provision is laid out in Article 24(1) of the Charter.

⁽¹³⁷⁾ Article 16 CRC.



interference by public authorities and private organisations, such as the media. This protection covers four distinct areas: private life, family life, home and correspondence.

- Special assistance and protection of **children temporarily or permanently deprived of their family environment** is laid down in Article 20 CRC:
 - 1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.*
 - 2. States Parties shall in accordance with their national laws ensure alternative care for such a child.*
- **Protection and humanitarian assistance** for refugee or asylum-seeking children when applying for or being granted **refugee status and the right to trace their family members in order to obtain information necessary for reunification with family** ⁽¹³⁸⁾.

Particularly when referring to refugee children, the CRC ⁽¹³⁹⁾ acknowledges not only the right to receive appropriate protection and humanitarian assistance but also to trace the parents or other members of the family. It also acknowledges the right to receive the same protection as any child permanently or temporarily deprived of their family environment. This right, as the cornerstone of the family tracing process for unaccompanied children in need of international protection, has been extensively recognised in the EU asylum *acquis*.

In line with the EU's commitment to protecting children's rights, the pact integrates instruments mentioned above such as the **EU Strategy on the Rights of the Child** and its integral component the **EU Child Guarantee**, the **Commission Communication on Children in Migration** and the **Action Plan on Integration and Inclusion 2021–2027**. These instruments ensure that children's best interests are considered in all actions, reinforcing the protection and care needed for their well-being as outlined in Article 24 of the Charter.

⁽¹³⁸⁾ Article 22 CRC.

⁽¹³⁹⁾ Article 22 CRC.



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