# Executive Summary

## The Issue

What it means to be "missing" is understood in a variety of ways around the world. The concept is largely dependent on national context and cultural and social influencers. The lack of an agreed upon definition of the term makes it difficult to know the full extent of the problem globally and to determine how best to protect children from going missing or from being abducted – or how to find them when they do.

There is an undeniable connection between missing children and the issue of child exploitation. The threat of exposure to high-risk activities is evident as soon as a child is in unknown surroundings. Children who go missing, run away, or are abducted are often exposed to or suffer:[1]

- Sexual exploitation, trafficking in persons, and prostitution;
- Illegal/unsafe employment;
- Involvement in criminal activity, both as a victim and as a perpetrator;
- Deterioration of physical and emotional health;
- Lack of education;
- Substance misuse;
- Risk of physical and sexual assault; or
- In some circumstances, death.

On an international level, there is no harmonized, global strategy aimed at addressing the problem of missing children and child abduction. General international child protection instruments, which address some – but not all – aspects of missing/abducted children issues, include: the United Nations Convention on the Rights of the Child,[2] the United Nations Convention for the Protection of All Persons from Enforced Disappearance,[3] and the 1980 Hague Convention on the Civil Aspects of International Child Abduction.[4] However, no international legal instruments provide a universal definition of the term "missing child" to guide processes to report, investigate, and recover missing and abducted children.

On a national level, few countries have legislation specific to missing children, and national strategies, when they do exist, vary from country to country. Even fewer countries have policies in place to facilitate data collection, and statistics, when available, can be inaccurate and unreliable due to: under-reporting/under-recognition; inflation; incorrect database entry of case information; and deletion of records once a case is closed. Without accurate information, it is difficult to fully understand the issue of missing children and begin to formulate effective solutions leaving missing child cases under-addressed.

---

[1]   Kelly Dedel, *Juvenile Runaways, Problem-Oriented Guides for Police, Problem Specific Guide Series No. 37*, Dep't of Justice (Aug. 2010) 4, *at* http://www.cops.usdoj.gov/files/RIC/Publications/e12051223_Juvenile.pdf (on file with the International Centre for Missing & Exploited Children).

[2]   Convention on the Rights of the Child, article 1, *opened for signature* Jan. 26, 1990, G.A. Res. 44/25, U.N. GAOR 61st plen. mtg. at 166, U.N. Doc. A/44/736 (1989). The Convention on the Rights of the Child defines "child" as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."

[3]   International Convention for the Protection of All Persons from Enforced Disappearance, G.A. Res. A/RES/61/177, U.N. Doc. A/HRC/RES/2006/1 (Dec. 20, 2006) (on file with the International Centre for Missing & Exploited Children).

[4]   1980 Convention on the Civil Aspects of International Child Abduction, Oct. 25, 1980, T.I.A.S. No. 11670, 1343 U.N.T.S. 98 (on file with the International Centre for Missing & Exploited Children).

Even with the challenges of data collection, it has been estimated that:

- In Australia, an estimated 20,000 children are reported missing every year.[5]

- In Canada, an estimated 45,288 children are reported missing each year.[6]

- In Chile, an estimated 9,258 children went missing in 2012.[7]

- In Germany, an estimated 100,000 children are reported missing each year.[8]

- In India, an estimated 70,000 children go missing each year.[9]

- In Jamaica, an estimated 1,941 children were reported missing in 2015.[10]

- In Russia, an estimated 45,000 children were reported missing in 2015.[11]

- In South Africa, an estimated 1,460 children are reported missing every year.[12]

- In Spain, an estimated 20,000 children are reported missing every year.[13]

- In Turkey, an estimated 48,000 missing children are searched for every year.[14]

- In the United Kingdom, an estimated 112,853 children are reported missing every year.[15]

- In the United States, an estimated 440,000 children are reported missing every year.[16]

---

[5] AUSTRALIAN FEDERAL POLICE, National Coordination Centre, *at* http://www.missingpersons.gov.au/education--training/working-with-young-people (last visited Mar. 21, 2016) (on file with the International Centre for Missing & Exploited Children).

[6] GOVERNMENT OF CANADA, *Canada's Missing – 2015 Fast Fact Sheet – MC/PUR Missing child subjects by province, sex and probable cause*, *at* http://www.canadasmissing.ca/pubs/2015/index-eng.htm (last visited July 10, 2016) (on file with the International Centre for Missing & Exploited Children).

[7] Francisco Águila, *Más de 80% de los desaparecidoes en 2012 fuero hallados en primoers 4 días de investigación*, EL MERCURIO, Nov. 3, 2012, *at* http://www.emol.com/noticias/nacional/2012/11/02/567741/mas-de-16-mil-personas-extraviadas-fueron-halladas-por-carabineros-en-los-primeros-cuatro-dias-despues-de-su-desaparicion-en-2012.html; http://diario.latercera.com/2012/11/05/01/contenido/pais/31-122255-9-carabineros-localizo-al-83-de-las-personas-encargadas-por-presunta-desgracia.shtml (last visited Feb. 10, 2016) (on file with the International Centre for Missing & Exploited Children).

[8] *Initiative Vermisste Kinder*, *at* http://www.vermisste-kinder.de/ (last visited Mar. 29, 2016) (on file with the International Centre for Missing & Exploited Children).

[9] BACHPAN BACHAO ANDOLAN, *Missing Children of India – Synopsis,* 2011 (on file with the International Centre for Missing & Exploited Children).

[10] JAMAICA OFFICE OF THE CHILDREN'S REGISTRY & MISSING PERSON MONITORING UNIT, *Missing Children's Statistics 2015* (on file with the International Centre for Missing & Exploited Children).

[11] *Interview with Pavel Astakhov MIA "Russia Today"*, Apr. 4, 2016, *at* http://www.rfdeti.ru/display.php?id=11071 (last visited July 10, 2016) (on file with the International Centre for Missing & Exploited Children).

[12] South Africa Crime Statistics, *at* http://www.crimestatssa.com/resources.php (last visited July 22, 2015) (on file with the International Centre for Missing & Exploited Children).

[13] *Spain Joins EU Hotline for Missing Children*, Sep. 22, 2010, *at* http://www.theleader.info/article/25040/spain-joins-eu-hotline-formissing-children/ (last visited Apr. 25, 2016) (on file with the International Centre for Missing & Exploited Children).

[14] Hurriyrt Daily News, *Police search for 4,000 missing children every month in Turkey* (Feb. 2, 2015), *at* http://www.hurriyetdailynews.com/police-search-for-4000-missing-children-every-month-in-turkey-.aspx?pageID=238&nID=77789&NewsCatID=341 (last visited July 22, 2015) (on file with International Centre for Missing & Exploited Children).

[15] NATIONAL CRIME AGENCY, *UK Missing Persons Bureau -- Missing Persons Data Report 2014/2015* 15, May 16, 2016, *at* http://www.missingpersons.police.uk/download/56 (last visited July 19, 2016) (on file with International Centre for Missing & Exploited Children).

[16] FEDERAL BUREAU OF INVESTIGATION, *NCIC Active/Expired Missing and Unidentified Analysis Reports,* *at* https://www.fbi.gov/file-repository/2016-ncic-missing-person-and-unidentified-person-statistics.pdf/view (last visited Mar. 16, 2017) (on file with the International Centre for Missing & Exploited Children).

These estimates illustrate the pervasiveness of the issue of missing children. While many children who are reported "missing" are recovered or return to their homes voluntarily, a family and even an entire community can be forever changed by a missing child. Parents and siblings experience shock, uncertainty, fear, guilt, and pain as they struggle to reestablish their family structure and function normally both in the child's absence and after the child's return.[17] Children may leave home for a variety of reasons, for example because of miscommunication, conflict, neglect, or abuse at the hands of these very same family members. The underlying reasons why a child runs away must be addressed, and the child and family members should receive ongoing support, education and other services throughout the reunification process.

Thus, it is vital that every country implement appropriate legislative and policy measures to ensure that resources are available to help missing children and their families, and that investigations are thorough and efficient, giving each child a greater chance of returning home. In order for this to happen, systems must be in place to detail how law enforcement, government agencies, and the public can work together not only to prevent children from going missing, but to locate them quickly and protect against exploitation.

## The Research

To address the lack of international standards and guidelines on protecting children from going missing/being abducted, and on how to effectively and quickly respond when a child does go missing/is abducted, ICMEC has been conducting in-depth research on legislation, best practices, and policies related to missing children to identify trends and common themes while highlighting gaps. In preparation for this undertaking, ICMEC prepared a list of criteria, both legislative and policy-based, to guide our research, which later evolved into the Model Missing Child Framework and was adopted in August 2015.

ICMEC started its research, with the support of the UNICEF Regional Office for Latin America and the Caribbean, by focusing on seven Central American countries. Since then, further research through various funding partners, has been conducted country-by-country and is accessible on ICMEC's website – www.icmec.org. Research will be conducted on all 196 countries over the next few years.

Realizing the importance of taking into consideration varying cultural, religious, socio-economic, and political norms, our Model Missing Child Framework resembles a menu of concepts that can be applied in all countries in the region and throughout the world to build strong, well-rounded national responses. The Model Missing Child Framework consists of 12 fundamental topics and provisions that are essential to facilitate more efficient investigation, management, and resolution of missing children cases.

The legislative review results look at a core set of criteria to provide an understanding of national legislation on the issue of missing and abducted children. The core set of criteria contains six points, which are part of the Model Missing Child Framework, those that ICMEC has identified as most critical to addressing the issue on a national level. In particular, we are looking to see if national legislation and policies:

1. Exist with specific regard to missing children and provide a definition of "missing child";
2. Require missing child cases to be immediately investigated;
3. Set entry and exit requirements for children;
4. Establish a national registry of reported missing child cases;

---

[17]  NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN, *A Child is Missing: Providing Support for Families of Missing* Children (2007), *at* http://www.missingkids.com/en_US/publications/NC172.pdf (last visited July 19, 2016) (on file with the International Centre for Missing & Exploited Children).

5. Provide reporting mechanisms to report a missing child and provide tips; and
6. Institute a rapid emergency child alert system.

It is important to note that the legislative review accompanying the Model Missing Child Framework is not about criticism, but rather about assessing the current state and awareness of the issue, and learning from one another's experiences. Additionally, a lack of legislation specific to missing children does not mean that no action has been taken to address missing children's issues. When taken together, the regional legislative review and country-specific findings present a fuller picture of existing efforts. This review suggests that although the individual countries discussed may not have an abundance of legislation specific to missing children, there is evidence of increased awareness and a willingness to launch new and helpful initiatives.

## Methodology
As a first step, ICMEC developed an inquiry form, containing a list of questions focused on legislation and policy and based on the Model Missing Child Framework, to gain a sense of how the issue of missing and abducted children is addressed by each country.

Open source research into legislation, policies, and best practices was conducted with the help of in-house legal interns who aimed to identify trends, common themes, and potential gaps in response to the issue. Primary sources of information include: LexisNexis; government submissions to the U.N. Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography and the U.N. Committee on the Rights of the Child; national legislative resources; law enforcement agencies' and non-governmental organizations' websites; news articles; and direct contact with in-country non-governmental organizations, law enforcement agencies and officers, and attorneys.

In the final phase, detailed letters containing the results of the research were assembled for each country and sent to representatives from non-governmental organizations, law enforcement entities, and government agencies in each nation in order to verify our findings and elicit additional comment.

## Terminology
There is no global consensus on how to define the term "missing child." At a minimum, the definition of a "missing child" should include "any person under the age of 18 whose whereabouts are unknown." Additional definitions can be found in the Model Missing Child Framework.

## Topics Addressed
Fundamental topics addressed in the Model Missing Child Framework include:

1. National legislation with a definition of "missing child;"
2. Reporting mechanism;
3. Immediate investigation of missing children cases;
4. Regulations regarding cross-border travel with children;
5. Comprehensive database of missing and unidentified children;
6. Case management system to organize and record case information;
7. Photo distribution system;
8. Responses and investigative procedures;
9. Formal agreements between agencies involved in missing children investigations and child protection overall;
10. Community engagement programs to educate the public on a variety of missing children's issues;
11. Rapid emergency child alert system; and
12. Prevention framework.