



Ad-Hoc Query on 2022.16 Opportunities for families to reunite in certain circumstances and family tracing

# Requested by COM on 28 March 2022

Responses from Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Slovakia, Spain, Sweden (20 in Total)

# Disclaimer:

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

# 1. BACKGROUND INFORMATION

This ad hoc query collects information as part of a rapid information collection exercise. The questions in this Ad hoc query relate to family reunification and family tracing. Please provide your response by Tuesday 19 April at 12h CET.

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As these ad-hoc query contains more than six questions it will be counted as two ad-hoc queries.

We would like to ask the following questions:

- 1. Does your Member State apply additional provisions to reunite family members that are not covered under Article 15(1) of TPD? YES/NO. If you answer yes, which provisions and to whom?
- 2. Are your authorities performing family tracing for the UAMs who are not accompanied by know adults? *Available choices: Yes, No, Not Applicable*
- 3. If you answer YES to Q.2, can you explain through what procedures?
- 4. If you answer YES to Q.2, has your Member State considered using the Dublin Units and the established procedures of cross-border communication developed in that context for this purpose?
- 5. Both persons from Ukraine entitled to temporary protection and those who are not, if they are family members of third-country nationals legally residing in a Member State, might also benefit from family reunification under the Family reunification Directive. Is your Member State taking any measures to facilitate family reunification in those cases?
- 6. How do you deal with the situation where children do not arrive accompanied by their parent, but with the guardian appointed in Ukraine?
- 7. Are you envisaging measures to support financially the foster families / communities / NGOs in their efforts to provide proper accommodation for these children?

We would very much appreciate your responses by 22 April 2022.

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# 2. RESPONSES

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		Wider Dissemination <sup>2</sup>	
•	EMN NCP Belgium	Yes	<ol> <li>The Cabinet of the State Secretary of Migration and Asylum, in cooperation with the Immigration Office, is currently still developing the policy regarding family tracing and family reunification. As soon as more information is available, EMN Belgium will update the answers of this AHQ.</li> <li>Not Applicable</li> <li>The Cabinet of the State Secretary of Migration and Asylum, in cooperation with the Immigration Office, is currently still developing the policy regarding family tracing and family reunification. As soon as more information is available, EMN Belgium will update the answers of this AHQ.</li> <li>The Cabinet of the State Secretary of Migration and Asylum, in cooperation with the Immigration Office, is currently still developing the policy regarding family tracing and family reunification. As soon as more information is available, EMN Belgium will update the answers of this AHQ.</li> <li>The Cabinet of the State Secretary of Migration and Asylum, in cooperation with the Immigration Office, is currently still developing the policy regarding family tracing and family reunification. As soon as more information is available, EMN Belgium will update the answers of this AHQ.</li> </ol>

<sup>1</sup> If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

<sup>&</sup>lt;sup>2</sup> A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

		<ul> <li>6. If a child arrives in Belgium, accompanied by a guardian, the Immigration Office will refer the child to the Guardianship Service.</li> <li>If the child has (a) official, (b) original and (c) by the Belgian authorities recognised documents which prove the guardianship, the Guardianship Service will recognise the Ukrainian guardianship over the child. In such case, it is not an UAM considering art 5/1 of the Guardianship Act.[1]</li> <li>If the child has official documents, the Guardianship Service will further analyse these documents. In case the Guardianship Service does not recognise the Ukrainian guardianship over the child, the Guardianship Service will appoint a guardian.</li> <li>[1] Guardianship Act of 24 December 2002, Official Belgian Gazette, consulted via (FR): http://www.ejustice.just.fgov.be/cgi loi/change lg.pl?language=fr&amp;la=F&amp;cn=2002122445&amp;table name=loi</li> <li>7. The Cabinet of the State Secretary of Migration and Asylum, in cooperation with the Immigration Office, is currently still developing the policy regarding family tracing and family reunification. As soon as more information is available, EMN Belgium will update the answers of this AHQ.</li> </ul>
EMN NCP Bulgaria	Yes	<ol> <li>No.         According to the Law on Asylum and Refugees, article 39a. a foreigner who was granted temporary protection shall have the right to reunite with his/her spouse, with their juvenile and unmarried children provided that they declare their willingness to do so.     </li> <li>The Chairperson of the State Agency for Refugees may allow the reunion of a foreigner enjoying temporary protection with other close relatives who used to belong to one household when the relevant events occurred and were dependents of the foreigner in his/her country of origin. In each specific case additional difficulties that would result from failure to reunite and that would affect those individuals are contemplated as well. In case of reunion family members shall have all the rights that were given to aliens who have been granted temporary protection.</li> <li>Yes</li> <li>This is not yet being performed with the current situation in Ukraine.</li> <li>The Law on Asylum and Refugees, in which the Temporary Protection Directive was transposed in 2007, provides that when the whereabouts of the family members are unknown, the State Agency for Refugees on conjunction with the United Nations</li> </ol>

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High Commissioner for Refugees, the Bulgarian Red Cross and other organizations undertake measures for tracing them. The Bulgarian Red Cross search service helps separated family members who have lost touch with each other during war, armed conflict and disaster.

In cases of unaccompanied Ukrainian children, the Social Assistance Directorate takes actions to investigate relatives or a suitable foster family with whom they may be accommodated.

4. N/A

5. N/A

6. In almost all cases, the minors entering the territory of the Republic of Bulgaria who are not accompanied by a parent are entrusted and accompanied by a relative or other person close to the family.

In cases where the child is accompanied by a relative or other person to whom the child has been entrusted by a parent or guardian, this circumstance should be verified by presentation of a power of attorney from a parent or guardian, and in the absence of power of attorney - by filling in and submitting to the border/police officers a declaration for taking responsibility and care for the child by the accompanying person.

Border/police officers should make certain that the child has actually been entrusted to the accompanying persons and that they are acting in the best interest of the child.

Border / police officers inform the accompanying adults that they should submit the declaration of care immediately upon arrival at the address of destination in the Republic of Bulgaria to the Department for Child Protection of the relevant Social Assistance Directorate.

In case of doubt about the relationship between the accompanying adult and the child, border / police officers should immediately inform the Department for Child Protection.

When settling in a certain locality, Ukrainian citizens, not parents of the children which they accompany, must visit the Department for Child Protection of the Social Assistance Directorate, responsible for the locality. The Department for Child Protection will issue them a document that legitimises them as caring for the child in front of all other institutions. In order for such a document to be issued, the accompanying persons will have to present documents showing the relation regarding the child as persons responsible under the law, persons responsible under the custom, a person authorized by a parent or a person with a declaration completed before the Bulgarian border authorities. The Department for Child Protection will initiate a procedure, during which it is possible to visit the child and the accompanying person at the address where they are accommodated. The aim is to make certain that the person accompanying the child acts in the best interests of the child. After

		making certain of this, the person accompanying the child is issued a document entitling him to represent the child before all institutions. This order is confirmed by a court decision.  7. Given the specific risk situation in which these children find themselves, the lack of parental care for their support, all necessary measures and activities for child protection are taken, as well as additional funds will be provided to support to the people who will take care of these children.  The government grants financial compensation to private hotels and resorts in municipalities and government agencies with a fixed amount of BGN 40 per day for each Ukrainian refugee accommodated. This humanitarian aid has so far been granted for a period of three months - until May 31, 2022.
EMN NCP Croatia	Yes	<ol> <li>No.</li> <li>No.</li> <li>For now, it was not necessary to carry out the procedure of family reunification, given that minors unaccompanied by parents or legal guardians came to the Republic of Croatia accompanied by adults familiar to them, which were most often members of the extended family. However, in order to prepare for such cases, the very form of application for temporary protection provides questions concerning family members located in the territory of Member States or in third countries (including Ukraine) in order to carry out, at the time of registration, "screening" need to reunite families.</li> <li>/</li> <li>The current legal framework allows family reunification in accordance with the Directive on the right to family reunification, but so far there was no need to apply this institute.</li> <li>Social welfare centers are obliged to take all protective and temporary measures regarding minors from Ukraine that are unaccompanied by a legal representative in accordance with the national regulations and during their stay in the Republic of Croatia. The Embassy of Ukraine to the Republic of Croatia shall be informed of the measures taken, the placement of minors in custody and other decisions regarding the protection of minors.</li> <li>If the Center has informed that a minor, a refugee from Ukraine is in the Republic of Croatia with a natural person-Croatian citizen or accompanied by a natural person-a Ukrainian citizen based on parental trust, it is obliged to examine all</li> </ol>

			circumstances and make a decision in the best interests of the minor, placing them under special custody.  If the Center has information that a minor from Ukraine was sent to relatives, friends or acquaintances in the Republic of Croatia to take care of them or is in the Republic of Croatia accompanied by a natural person of Ukrainian nationality, without the child's trust by parents, it is obliged to examine all circumstances and bring a decision in the best interests of the minor and a decision to place the minor in special custody.  During its actions, the Center is obliged to listen to the minor in accordance with his age and maturity, and if the circumstances allow using modern technology to get in touch with parents (through minor, acquaintances, relatives).  7. In the case that Croatian citizens want to take over the daily care of refugee minors displaced from Ukraine, there is the possibility of foster care in accordance with the provisions of the Foster Care Act. The Ministry of Labor, Pension System, Family and Social Policy issued a Decision on the amount of compensation for foster care and a Decision on the amount of allowance for beneficiaries based on amendments to the Foster Care Act adopted in January 2022 when benefits increased. According to the Decision on the amount of allowance for beneficiaries, the allowance for a child under 3 years old is HRK 2,525, for a child from 3 to 7 years old is HRK 2,600, for a child from 7 years old and a younger adult is HRK 2,850, and for an HIV positive child and a younger adult is HRK 6,250.  The foster parent is entitled to childcare allowance for children and young adults until the end of their schooling or for a maximum of one year after the end of regular schooling if they cannot be employed, and for a maximum of 26 years old.  The Center for Social Welfare in the Republic of Croatia recognizes and pays funds for the maintenance of persons who have found themselves in an unfavourable life situation due to various circumstances, and also provides other s
			can be submitted by a special guardian.
€	EMN NCP Cyprus	Yes	1. No.
			2. Not Applicable
			3. N/A
			4. N/A
			5. Currently N/A, as there are no such cases in Cyprus

		<ul> <li>6. If a minor does not arrive with his parents, but is accompanied by another person and in all cases that there is any doubt about the person that accompanies a minor and his/her relationship with the minor, the Police (Border control) informs the Ukrainian embassy and with their cooperation any issue is resolved. Simultaneously, Police (Border control) informs the Social Welfare Service about the case and they follow up and if needed they apply the relevant procedures for the suitability of the guardina of the minor.</li> <li>7. No, not currently. However, all foster families in Cyprus receive support (social, psychological and financial, depending on the case) from the Social Welfare Services.</li> </ul>
EMN NCP Czech Republic	Yes	1. NO. 2. Yes
Republic		z. res
		3. The family tracing is done by the Office for International Legal Protection of Children in the Czech Republic. This Office is informed about the UAM in order to co-operate with the competent administrative authorities in partner countries.
		4. In case of indications that UAM has a family in an EU Member State and it is not possible to contact the family member in any other way, the use of the Dublin Unit or police cooperation channels is possible.
		But it must be taken into consideration that these authorities may not have relevant information about the family member. In addition, the Dublin Units do not cooperate in the context of temporary protection because there is no legal basis for this.
		5. Simplifying the family reunification process would mean an intervention in the national legal order. Moreover, given the situation in Ukraine, the possibility to apply for family reunification under this directive is considerably more difficult, if not impossible.  Therefore, it is more convenient to apply for temporary protection.
		mererore, it is more convenient to apply for temporary protection.
		6. Documents issued in Ukraine by registry offices, guardianship authorities, courts or other competent authorities of Ukraine are valid in the Czech Republic and these documents have similar legal effects in the territory of the Czech Republic as public documents issued by Czech state authorities.
		Therefore, if a minor comes to the Czech Republic accompanied by his/her guardian legally appointed in Ukraine, and the guardian is able to prove that he/she is entitled to take care of the child, no special procedure is needed and they are

		automatically recognized as their legal guardians.  7. The government of the Czech Republic has approved the provision of a humanitarian benefit of CZK 5,000 (approx. EUR 200) per month per person. It is intended for all holders of temporary protection in the Czech Republic.  As of April 11, 2022, there is a possibility to receive financial support for households providing accommodation for Ukrainians fleeing the armed conflict. The amount of the contribution will be CZK 3 000 (approx. EUR 120) per month for each
		accommodated person, but at the same time it cannot exceed CZK 12 000 (approx. EUR 500) per month per household.  Other measures of how to support the beneficiaries of temporary protection are discussed at the inter-ministerial level.
EMN NCP Estonia	Yes	<ol> <li>No</li> <li>Yes</li> <li>The information is asked from the minor and then the parents are contacted (so far the UAMs have had the contacts). If there is no information on the parents, an inquiry is made to the Police and Border Guard Board to determine the location of the parents.</li> <li>In case the Estonian Police and Border Guard Board receives information that the parents are located in some other Member State, a consultation proceeding is initiated via Dublinet, so that taking into consideration the best interests of the child, the child and the parents could be reunited.</li> <li>Yes, these cases are also facilitated via Dublinet.</li> <li>The custody granted in Ukraine is recognised in Estonia (as of the Estonian-Ukrainian legal aid agreement) and the guardian can perform the necessary acts in Estonia as the child's representative.</li> <li>The Estonian Social Insurance Board who is responsible for both the foster families and foster care, pays for the unaccompanied minor's services. If the child is accompanied by a guardian who is not his or her legal representative and the guardian is appointed as a guardian, the child receives the guardianship allowance (240 euros per month).</li> </ol>

+	EMN NCP Finland	Yes	1. NO. In all cases, family members are defined in accordance with the Directive, and there are no additional/extra provisions on family reunification for beneficiaries of temporary protection  2. Yes
			3. UAMs by Finnish definition are minors who are not accompanied by their legal guardians. In normal context, we perform family tracing via Finnish embassies abroad. When we are not able to perform tracing, we guide minors and their appointed guardians to contact the Finnish Red Cross and it's search on missing family members. These apply, at least in theory, in this context as well. We haven't yet tried to trace family members through embassies, which we assume are quite overwhelmed at the moment. We are investigating possibilities to cooperate with the Ukrainian embassy in Finland in this matter. Tracing procedures in this current context are this forming. Information on personal data, identity documents and family members are collected at registration. Appointed guardians are given more responsibility in examining the need for tracing (at least some minors already have contact with their guardian/s). The Finnish Immigration Service offers help and support within its capabilities and is involved in planning procedures if the cooperation with the Ukrainian authorities actualizes.
			4. NO.
			5. They are subject to the same provisions on family reunification as other applicants. In general, the Permit and Nationality Unit prioritizes processing extended permit applications submitted by Ukrainians. In addition, priority is also given to first applications based on family ties submitted by Ukrainians. The Permit Unit has also been less strict on the requirement to legalize documents, because it is known that legalization is not possible at the moment.
			6. It depends on the purpose for which the guardian is appointed for and requires case-by-case consideration.
			7. Unaccompanied minors stay mainly in group homes in the reception system or the group home can buy family care for young children. UAM can also stay in private accommodation according the reception law with mainly family members if that is considered to be the best interest for the child. Costs that may come from the private accommodation is not compensated but the minor will receive reception allowance. Any other accommodation for UAM is not recognized in the reception law.
	EMN NCP France	Yes	1. No, France applies the same rules provided for in Article 15 of the Temporary Protection Directive. Indeed, concerning the maintenance of family ties, the instruction relating to the implementation of the EU Council decision of

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# 4 March 2022 indicates the following elements

- The foreign national benefiting from temporary protection may apply to be joined:
- By a family member who benefits from temporary protection in another EU Member State
- By a direct family member not yet present in the EU territory
  - The application is sent to the prefect of the department (or to the prefect of police in Paris) who takes into account the reception capacities in the department and the reasons of necessity and urgency invoked by the interested parties.

# 2. Yes

3. The search for family members of an unaccompanied minor is provided for in the Instruction of March 30, 2022 regarding the situation of minors from Ukraine.

An ad hoc committee for the protection of unaccompanied Ukrainian minors accommodated in France and for the prevention of human trafficking has been set up.

For unaccompanied minors who arrive alone, their care follows the usual procedure already implemented in the jurisdiction, the search for the child's family is carried out by any means (with the involvement of the prefecture, the departmental council, associations including the Red Cross, etc.) according to local resources and under the authority of the Children's Judge. The departmental council receives shelters and assesses the child's minority. It informs the public prosecutor of the situation of the unaccompanied, isolated minor. The public prosecutor consults the unit for UAMs (Mission mineurs non accompagnés) of the Directorate for Judicial Protection of Juveniles (DPJJ) at the Ministry of Justice for a proposal of orientation taking into account the interest of the child.

The Red Cross (and more particularly the service for restoring family ties) can also intervene to help find the children's families and close relatives. In addition, the mission for unaccompanied minors (DPJJ, Ministry of Justice) can be consulted in order to find out whether an UAM is known in the database listing UAMs taken into care under the child protection system.

- 4. In the case where unaccompanied minors are on their way to a parent residing in another EU Member State, the "Brussels II Bis" regulation\* is implemented by the Children's Judge for the movement of the minor to another EU Member State in order to re-establish family ties.
- 5. N/A
- 6. <u>Concerning minors accompanied by an institution, or an ad-hoc Ukrainian support structure or by a referent adult</u>: for all arrivals of minors, the departmental council, in cooperation with the prefecture, should contact the Ukrainian consular authority

		to ensure the legal situation of children in institutions and the authority's wishes for these children. The authorities verify the identity of these minors (civil status), their legal situation (including the status of the accompanying person), and, if necessary, carry out an assessment of their needs.  In the same case (minors accompanied by an institution or an ad-hoc Ukrainian structure of accompaniment):  - If the minors are under the guardianship regime and if they travel with their guardian: the care is then part of a humanitarian regime led by the State representative and not judicial. If the accompanying persons already have valid documents to be considered as legal representatives, no new judicial procedure is necessary to confirm their status. Precise checks on the documents of the minors in the possession of the accompanying persons should be carried out.  - If the staff of the accompanying institution are not the legal representatives of the minor, then a search for the extended family is carried out for each minor (prefecture, departmental council, associations, Red Cross) under the authority of the children's judge.  Many minors also present themselves with Ukrainian notarized deeds (recognized by the French authorities), entrusting them to a referent adult, with whom they arrived on French territory.  7. To date, there is no specific funding for the care of unaccompanied minors from Ukraine. In fact, they are taken care of under the French child protection system in the same way as unaccompanied minors of other nationalities.
EMN NCP Germany	Yes	<ol> <li>No. Section 29 (4) of the Residence Act covers persons who are entitled under Article 15(1) of TPD.</li> <li>Yes</li> <li>Pursuant to section 42a sub-section 2 Social Code Book VIII (SGB VIII), the Youth Welfare Office must examine together with the minor whether a person close to the minor is staying in Germany or abroad and whether the welfare of the minor requires the said minor to be taken into care together with siblings or other unaccompanied foreign minors.</li> <li>If a person close to the minor is staying in Germany or abroad, the youth welfare office must work towards reuniting the minor with this person if this is in the minor's best interests (section 42a sub-section 5 sentence 2 SGB VIII). These efforts may entail filing a search request with the Tracing Service of the German Red Cross.</li> <li>No, as explained above, the German Federal Office for Migration and Refugees (BAMF) itself does not perform tracing of possible family members. Dublin Units and the established procedures developed in this context are strictly limited to Dublin cases due to the provision laid down in the Dublin III regulation.</li> </ol>

		5. As usually, family reunification cases are facilitated via the German Federal Foreign Office.
		<ul> <li>6. In Germany, as laid out in AHQ 2022.10, the general procedures (e.g. identification of the minor's best interests) for UAM apply. In practice, the guardian appointed in Ukraine should contact the nearest youth welfare office when entering Germany, which will handle all further steps. The contacted youth welfare office is initially responsible but may transfer the said responsibility in the foreseen procedures to another youth welfare office. This step is linked to the place of residence which may be by choice of the UAM and his/her guardian (e.g. place of residence of family or friends of the guardian) or it may be by assignment through a distribution mechanism (e.g. suitable accommodation for a group travelling together in the jurisdiction of another youth welfare office (see Answer to Q6 of the AHQ 2022.18 for additional details); e.g. distribution due to free capacity).</li> <li>7. The Federal Government and the Prime Ministers of the federal states of Germany decided on financial support for all refugees from Ukraine under general German social law.</li> </ul>
EMN NCP Greece	Yes	1. No, eligible for temporary protection according to the Directive 2001/55, are the family members as described in article 15 (1) of the Directive and in article 1 of the nr.172172/2022 decision of the Minister of Migration and Asylum (GG B'1462).
		2. Yes
		3. As soon as a separated or unaccompanied minor arriving from Ukraine is identified, the mobile units which are operating at the border station of Promachonas, conduct a Best Interest Assessment (BIA) in a child-friendly environment. A BIA is, also, conducted by specially trained staff while the children are accommodated in the emergency accommodation facilities, until they are placed in long-term accommodation, which are either shelters or supported independent living apartments, suitable for their age and needs. During these BIA, the conducting staff is trying to identify whether there are currently relatives of the child in Greece or in other countries and if it is for the best interest of the child to be reunited with them.
		4. N/A
		<ul><li>5. N/A</li><li>6. The Special Secretariat for the Protection of Unaccompanied Minors (SSPUAM) of the Ministry of Migration and Asylum has</li></ul>

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established the National Emergency Response Mechanism (NERM) together with UNHCR and implementing partners for the protection of unaccompanied minors, which created a safety net for children residing in precarious conditions by providing support to children's registration before the competent authorities, such as Hellenic Police and Asylum Service, providing safe accommodation, access to psycho-social, and legal and medical support.

The NERM has been already activated to serve the needs of the Ukrainian emergency situation and has already provided support to separated children (accompanied by family members – not parents), who arrived in Greece from Ukraine. The NERM through its 24/7 tracing line, which is supported by interpretation, is providing information concerning the procedures that need to be followed for unaccompanied and separated minors arriving from Ukraine. More specifically, the cases of separated minors identified through the NERM are referred to legal support for the assessment of the case and assistance concerning the official appointment of the accompanying adult as the caretaker or representative of the accompanied minor.

The initial registration and identification of the unaccompanied and separated Ukrainian minors who arrive in Greece is conducted by the Passport Control Department of the Hellenic Police at the border locations, in cooperation with the Ukrainian consular office. Apart from the standard procedures followed by the Hellenic Police and the consular office, in case a separated or unaccompanied minor is identified at entry points, the Hellenic Police fills in the Notification Form which is afterwards immediately communicated to the National Emergency Response Mechanism, in order for the implementing partners of NERM who work on the site to identify the minors and support them in their next steps if this is needed. The data which is collected with the Notification Form include the personal information of the child, whether she/he is unaccompanied or accompanied by an adult, the personal information of the adult accompanying the minor, their relation, type of documents they possess, if the adult has already address in Greece, if the adult is willing to take over the care of the minor. The children who are in need of accommodation are transferred to appropriate accommodation facilities for unaccompanied minors.

7. No such measures are envisaged at the moment.

Moreover, with regards to the Unaccompanied and Separated minors from Ukraine entering the Greek territory, the Special Secretariat for the Protection of Unaccompanied Minors (SSPUAM) of the Ministry of Migration and Asylum, as the competent authority for the coordination of actions related to the protection of third country nationals (non-EU nationals) and stateless unaccompanied minors entering and residing in the Greek territory, is being daily updated by the Reception and Identification Service of the Ministry of Migration and Asylum and the Hellenic Police, competent authorities for the registration of arrivals from Ukraine at the northern Greek borders and the rest of the Greek territory.

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			More specifically the National Emergency Response Mechanism (NERM), operating under the supervision and coordination of the SSPUAM, and the Accommodation and Relocation Requests Management Unit of the SSPUAM, are competent for the implementation of the alternative care emergency response and the referral of unaccompanied minors from Ukraine to long-term accommodation modalities. In addition to the above, the National Emergency Response Mechanism, through its partner child protection organization, ARSIS Thessaloniki, is deploying a Best Interest Assessment team at the border station of Promachonas, which is the entry point that receives the majority of the population arriving in the country from Ukraine.  This team, under the coordination of NERM, is conducting a rapid best interest assessment for every case of separated or unaccompanied minor arriving from Ukraine at Promachonas, in a child-friendly environment. More specifically, the cases of separated minors identified through the NERM are referred to legal support for the assessment of the case and assistance concerning the official appointment of the accompanying adult as the caretaker or representative of the accompanied minor. In case it is assessed that it is for the best interest of the child, the minor can be accommodated along with the adult who is accompanying him/her.
	EMN NCP	Yes	1. No
	Hungary		
			2. Yes
			3. General procedures apply
			When an unaccompanied minor is identified the Police, the consular services of the minor's country of nationality is informed. If the minor enters the child protection sytem, the child protection authority is responsible for family tracing, in cooperation with law enforcement authorities as well as international organizations (ICRC).
			4. No
			5. General rules apply.
			6. When entering minor children - both under the general rules and in the current war situation - the Police act with caution, checking in each case whether the minor is travelling with a person responsible for the supervision of the child. Hungary recognizes guardians apppointed in Ukraine, unless the best interest of the child requires otherwise.

		7. At present, the number of such chidren remains low. (16 UAMs as of 22 April 2022) No special financial measure is planned at the moment.
EMN NCP	Yes	1. NO
itaty		2. Not Applicable
		3. N.A
		4. N.A
		5. NO
		6. The Italian legislation for unaccompanied foreign minors is provided for by Law no. 47/2017, without prejudice to the provisions of the Hague Convention of 1996 implemented in our system by Law no. 101/2015. The Juvenile Judicial Authority, on the basis of the documentation submitted, assesses whether they are accompanied foreign minors or not. With specific regard to the Ukrainian UAMs, a Commissioner was appointed by the Ordinance of the Head of the Civil Protection Department (OCDPC) no. 876/2022 who adopted an operational plan to coordinate the actions of the competent institutions in the reception of UAMs.
		7. Article 2 of the OCDPC no. 881 of 29 March 2022 provides, among other measures, the contribution for autonomous accommodation. In this regard, the Department of Civil Protection is authorized to grant to persons seeking temporary protection under the Implementing Decision (EU) 2022/382 of the Council of the European Union of 4 March 2022 and who have found their own accommodation, a one-off subsistence contribution of € 300 per month per person, for a maximum duration of three months from the date of entry into the national territory, conventionally identified in the date of submission of the application for temporary protection if not otherwise determinable, and in any case not later than 31 December 2022. In the presence of minors, in favour of the adult holder of legal guardianship or custody, an additional monthly contribution of €150 is granted for each child under the age of 18.
EMN NCP	Yes	1. Latvia applies additional provision to family reunification for persons who are covered in Article 15 (2) and Article (3), if

Latvia	these persons are family member to persons mentioned under Article 15 (1).
	2. Yes
	3. The State Inspectorate for Protection of Children's Rights shall create and maintain a unified register of unaccompanied children and their registration to ensure the provision of the information necessary for the reunification of the child and his or her family, and also to ensure standardised retrieval of information and to create a statistical analysis.
	4. No.
	5. Yes.  According to the Law on Assistance to Ukrainian Civilians if a Ukrainian civilian requests a visa or a residence permit, however and submitted documents do not conform to the requirements provided for in the Document Legalisation Law or all the documents necessary have not been submitted, the Office of Citizenship and Migration Affairs may determine a time period of up to one year for the submission of the documents conforming to the requirements.
	6. In order to become an extraordinary guardian, a person shall submit a submission to the Orphan's and Custody Court in the operational territory (municipality) of which the unaccompanied child is.  The chairperson of an Orphan's and Custody Court, the vice-chairperson of an Orphan's and Custody Court, or a member of an Orphan's and Custody Court shall unilaterally take the decision to establish extraordinary guardianship and to appoint an extraordinary guardian for an unaccompanied child.
	7. The assistance to Extraordinary Guardian is regulated in Law on Assistance to Ukrainian Civilians. Remuneration for the fulfilment of the duties of an extraordinary guardian shall be EUR 171 per month regardless of the number of unaccompanied children. (3) The benefit for the maintenance of the unaccompanied child shall be not less than: 1) EUR 215 for an unaccompanied child up to seven years of age; 2) EUR 285 for an unaccompanied child from seven to 18 years of age. Therefore each municipality accept applications of Ukrainian civilians for the assistance required by them, including for accommodation, sustenance, provision with essential products, health care services, and education services for children. As well the social service office of the local government shall grant and disburse a one-time allowance to Ukrainian civilians in

		a crisis situation in the amount of EUR 272 for a person of legal age and EUR 190 per child. There are NGOs (SOSbernuciemati.lv) who provide assistance and information for Ukranian civilians (extraordinary guardianship) in communication with Social Services, Orphans' Court and others institutions, including voluntary supporters and donors.
EMN NCP Lithuania	Yes	1. There are no special provisions for this as of now, but family members may apply for residence permit on other grounds set out in the Law on the Legal Status of Foreigners, such as under the Article 40.1.8 (humanitarian grounds).
		2. No This is not yet being performed with the current situation in Ukraine.
		3. N/a
		4. N/a
		5. There are no such facilitation to the best of available information.
		6. If during the registration it is determined that a person is an unaccompanied minor, representatives of the Child Rights Protection and Adoption Service under the Ministry of Social Security and Labor are invited who assign temporary custody to the minor. If the minor is accompanied by an appointed legal guardian, such information is registered. If there are any issues during registration, the Child Rights Protection and Adoption Service professionals will ensure that the child has a legal representative, interview the child, and register his/her details. The municipalities would continue to take care of the child's well-being by providing the required services, accommodation, health care, etc.
		7. Ukrainians, including unaccompanied minors and children who arrive with formally or informally appointed guardians, who have been granted temporary protection in Lithuania have the right to social assistance.  Lithuania provides a lump-sum child allowance paid at the time of adoption (irrespective of the child's age).  During the period of guardianship (curatorship) in Lithuania, a guardianship (curatorship) allowance is paid to a child for whom custody (curatorship) has been established in a family, a guardianship center or a childcare institution. At the end of the child's guardianship (curatorship), a person may continue to receive a care allowance up to the age of 24 if he/she is in education or training. In addition, a provision is made for a special allowance to be paid during the period of custody (curatorship) to the

			foster family and care center. At the end of the guardianship (curatorship), if the child has remained with and is dependent on the former guardian/curator and is still in school, the former guardian is entitled to continue to receive this allowance, but not longer than until the dependant reaches the age of 23.  Each child under the age of 18 (or under the age of 23 if he/she is enrolled in a general education program) is entitled to a monthly child allowance. Children with disability are entitled to additional benefits. School-age children who start school in Lithuania have the right to free meals at school, depending on their family income. At the start of a new school year, support is provided for the purchase of student supplies.  There is a benefit for caring for a child from the child's birth to the age of 2 if the guardian of the child applying for the benefit is studying and is not entitled to childcare benefit from social insurance.  The largest insurance company in Lithuania "Lietuvos draudimas" currently offers personal insurance for all Ukrainian minor children free of charge.  While there are no measures specifically targeting the provision of proper accommodation for the categories of children in question, the state offers compensation to anyone for hosting Ukrainian refugees - €150 per month for the first person accommodated in an apartment or another residential premise, and an additional €50 per month for each subsequent person accommodated in the same place. This compensation is currently available for up to three months after the first month of providing accommodation.
=	EMN NCP Luxembourg	Yes	<ol> <li>No. Article 75 of the modified Law of 18 December 2015 on international protection and temporary protection (Asylum Law) transposed article 15(1) of the TPD into the national Law. Actually, article 75 (2) considers as family member:         <ul> <li>the partner of the sponsor,</li> <li>the minor unmarried children of the sponsor or of his/her partner, without distinction as to whether they were born in or out of wedlock or adopted,</li> <li>other close relatives who were living in the family unit at the time of the events leading to the mass influx and who were wholly or mainly dependent on the sponsor at that time.</li> </ul> </li> <li>No</li> <li>N/A.         <ul> <li>It has to be noted that, until 31st of March, no UAM has arrived in Luxembourg in the context of the Ukraine crisis. Some arrived without their parents, but they were accompanied by a family friend or close relative, who already took responsibility of the child or are taking responsibility for them in Luxembourg. However, since then, 2 UAM arrived in Luxembourg, but both are</li> </ul> </li> </ol>

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in close contact with their parents, so there is no need to perform any family tracing. In general, Luxembourgish authorities do not perform family tracing as such for the UAMs who are not accompanied by known adults. UAMs are asked if they are in contact with their families and whether they know where they are.

It also has to be noted that no family tracing activities are performed in warzones.

4. N/A. No, the Dublin Units and the established procedures of cross-border communication have not been used for this purpose in regards to temporary protection so far. However, the possibility of using these secure communication channels could be considered, if it is known that the UAM's parents are in a Member State; then the best interest of the child is taken into account in order to reunite the child with the parents in the Member State where they are.

5

No. At the moment, the Directorate of Immigration has not taken any measures to facilitate family reunification in those cases. As explained above, beneficiaries of temporary protection may apply for family reunification with both their family members, who have not yet entered the territory of a Member State, and with those that are beneficiaries of temporary protection in another Member State

In the case of family members of third-country national legally residing in a Member State, family reunification is possible following the procedure and the requirements established by article 69 of the Immigration Law (Modified Law of 29 August 2008), which states that:

- (1) A third-country national who holds a residence permit valid for at least one year and who has a well-founded prospect of obtaining a long-term right of residence may apply for family reunification of the members of his or her family, if he or she meets the following conditions:
- 1. s/he provides proof that s/he has stable, regular and sufficient resources to support himself and his dependent family members, without recourse to the social assistance system, in accordance with the conditions and procedures laid down by Grand-Ducal regulation
- 2. s/he has suitable accommodation to receive the member(s) of his/her family;
- 3. s/he has health insurance cover for her/himself and for the members of her/his family.
- (2) Without prejudice to paragraph (1), for the family reunification of family members who are, the third-country national applying for family reunification has to have resided for at least 12 months on Luxembourgish territory.
- (3) The beneficiary of international protection may request the reunification of her/his family members. The conditions of paragraph (1) above only need to be fulfilled if the application for family reunification is lodged after a period of six months following the granting of international protection.

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6. In principle if the child arrived accompanied by his/her legal guardian, the minor will be treated as an accompanied minor and the guardian will have to file the application for himself/herself and for the child under his/her guardianship. This evaluation is done on a case-by-case basis.

If there is doubt on the validity of the guardianship documents, the Directorate of Immigration, acting in the best interest of the child, takes in consideration the will/opinion of the child and requests the Family Court to treat the question of the quardianship of the child.

In case of suspicion of child trafficking, it is directly reported to the police.

- 7. The authorities in charge of housing and providing support measures in Luxembourg are:
  - the National Reception Office (Office National de l'Accueil ONA), an administration under the authority of the Minister having Asylum in its competence, who is in charge of the material reception conditions of beneficiaries of temporary protection, including accommodation, food and clothing, as well as a monthly allowance and access to medical care.

The daily management of accommodation centres for Unaccompanied minors (UAMs), is outsourced, through collaboration agreements, to two non-profit entities, Caritas and the Red Cross, under the supervision of the ONA.

• and the National Children's Authority (Office national de l'enfance – ONE, department of the Ministry of Education, Children and Youth).

ONE subsidises the non-profit entities FPMO (Fondation de la Maison Porte ouverte), Fondation Elisabeth, Caritas and Red Cross that are managing specific reception centres for unaccompanied minors. The different entities ensure that supervising staff is always present in the UAM accommodation centre they manage.

Every UAM arriving in Luxembourg asking for International Protection or Temporary Protection under the age of 12 is supported by ONE. Over the age of 12, support is still provided by ONE, if places are available in their structures. If places are not available Red Cross structures provide support for children from 12 to 16.5 years old and Caritas structures for children between 16.5 and 18 years old.

During the first weeks of the conflict in Ukraine, ONE asked its partners who run reception centres for children to create emergency places for UAMs: therefore, also other partners such as Arcus hosted the first UAMs who arrived in Luxembourg. In general, ONE provides financial support to foster families in the framework of the childcare law, who must have a licence to do so.

		Furthermore, every child or young adult (from 0 to 27 years) residing on Luxembourg territory may benefit from assistance measures of the ONE. In order to obtain such support, children and young adults must:  encounter difficulties in their physical, mental, psychological or social development;  find themselves in physical or moral danger;  or risk social exclusion.
EMN NCP Netherlands	Yes	<ol> <li>No</li> <li>Yes</li> <li>When an UAM comes into contact with guardianship organization Nidos (carries out guardianship for unaccompanied minor asylum seekers), first Nidos will help the UAM finding the family member by using known addresses, phone numbers, mail addresses, or social media.[1] When possible, Nidos will ask information in the Ukrianian community in the Netherlands (in this particular case). Also the help of the International Social Service Netherlands (ISS) can be requested (an organization offering services to individuals and organisations that are dealing with social or socio-legal issues resulting from (re)migration), or support of other NGOs in the country where the family possibly resides. In case this is not sufficient, Nidos will seek the help of the Netherlands Red Cross, department Restoring Family Links. A request can be made for family tracing, which will be assessed by the Red Cross. Following this, an interview will be planned with an employee of the Red Cross, during which the possibilities for family tracing are discussed and all necessary information is noted. The family tracing request will be sent to the country in which the family contact should be traced. Red Cross employees will search for the family member in several ways, for example by checking the last known address and surroundings, contacting local authorities and other organisations, or using local media to find someone.</li> <li>Information provided by Nidos on 5 April 2022.</li> <li>No.</li> <li>No, currently such measures are not taken.</li> <li>If Nidos receives a notification of a UAM arriving in the Netherlands, the Dutch Child Care and Protection Board is</li> </ol>

		informed.[1] The Child Care and Protection board and/or Nidos investigate the situation (concerning parental authority/legal guardianship) of the child. If it appears from this investigation that the minor has travelled together with a legal guardian and can prove this with the required documents from Ukraine, than the legal guardian will be recognized as caregiver. If there are no verifiable documents, but an adult claims to be the legal guardian of the minor, the Child Care and Protection Board will further investigate this. Parental authority/legal guardianship from a distance (from Ukraine) is also possible, when this can be proven with the required documents.  [1] Information provided by Nidos on 14 April 2022; information provided by the Child Care and Protection Board on 21 April 2022.  7. The government is planning to support municipalities by providing a standard amount of €700 per realized reception place provided for by municipalities (this standard amount is not meant for private reception). The standard amount is applicable in the period in which these regulations are in force (3 to 6 months).[1] For the period after new regulation will be implemented. For private reception (Particuliere Opvang Oekraïners, POO) the costs can be declared separately. The way in which financial support for municipalities concerning private reception (household temporarily housing Ukrianians) is realised is currently still elaborated further. Next to this, both in reception places provided for by municipalities and in private reception, Ukrianians will receive €260 per month for food, clothes and other personal costs (there is no difference between adults and children). Moreover, in private reception for each adult €215 is provided and for each UAM €55. There is no maximum per address.  The government does not consider it reasonable that households receive less benefits when they offer accommodation to Ukrianian refugees. Therefore foster families accommodating Ukrianians, the extra persons in the household will tempo
IN NCP land	Yes	1. No. 2. Yes

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Member State

3. At this moment we don't have further information on procedure regarding BTP who have been assigned a PESEL number. According to Polish law the Head of the Office, immediately after receiving the application for granting international protection to an unaccompanied minor, takes steps to find his/her relatives/reunite the family. What is more the Head of the Office may take actions aimed at reuniting a foreigner enjoying temporary protection also with his other close relatives who ran a common household with him immediately before his arrival on the territory of the Republic of Poland and were wholly or partially dependent on him.

The above also includes UAM.

- 4. It is possible to use them for this purpose.
- 5. No.
- 6. In accordance with the position of Ministry of Justice (dated 12th of April, 2022), institution of temporary guardian should be established for unaccompanied minors (situation when minor do not arrive accompanied by their parents or with the guardian legally appointed).

If minor-citizen of Ukraine arrive to Poland with the guardian legally appointed in Ukraine and they have judgment issued by Ukrainian court about establishing legally quardian, Polish court shouldn't establish temporary quardian for the minor.

7. For children who arrive accompanied by a person not being a legal guardian (e.g. family friends, relations from the extended family asked to accompany the child as an informal arrangement) should be established a temporary guardian. Temporary guardian is established primarily from among relatives, relatives by affinity, or other persons who give assurance of the proper performance of the duties of the guardian. Temporary guardian is eligible for some of family benefits and subsidies provided for in Polish law (also financial benefits).

All accommodation costs for minor citizen of Ukraine placed in foster care are covered by Polish country budget. At the Ministry of Family and Social Policy, two teams have been created that are involved in the evacuation of Ukrainian minors from foster care and their accommodation in Poland – the Evacuation of Children Team and the Place for Children Team. Information about the transport of children from Ukraine is reported to the Evacuation of Children Team, while the Place for Children Team coordinates the database of places where groups concerned can be accommodated. As part of the Teams' activities, the needs of transport and accommodation of orphaned, lonely, needing special care or disabled children have been taken into account.

		In addition, a reception point has been established in Stalowa Wola for children evacuated from children's homes and foster families as well as for unattended minors. There, after a long and exhausting journey, children are provided with comprehensive, loving care, and then accommodated in places of destination across the country. Basic assistance is provided to the children there, documentation is completed. Group of the children under the supervision of a temporary guardian have accommodation provided by voivode.
EMN NCP Slovakia	Yes	1. The Slovak Republic applies directly the Council Decision to reunite families and grants temporary protection to family members, who meet criteria for temporary protection in accordance with Council Decision or pursuant to the Government Decision No. 185/2022 adopted by the Government of SR.  The Slovak Republic has adopted the wider scope of categories concerning protection as defined in the Council Decision. SR applies temporary protection also to:  - Ukrainian nationals (regardless of the date of displacement)  - the parent of a minor who is a Ukrainian national, if the family was already present and residing in Ukraine before 24 February 2022.  2. Yes  3. Following the basic principle that the child should grow up in a family environment, it is the responsibility of the Social-Legal Protection of Children and Social Guardianship (SLPCSG) authorities to find out whether the UAM is interested in returning to the country of origin or usual origin or to travel to a third country after his/her parents or other family members and whether he/she has a general desire to reunite with family. The SLPCSG authorities are investigating whether the UAM is in contact with his/her parents. UAMs can be reunited with their family either in the country of origin of the UAM, in an EU country or in another third country.  4. There is currently no discussion regarding this topic.  5. Persons with granted temporary protection can't be sponsors of residence in case of an application for family reunification on the basis of Family Reunification Directive. However, in this case, the family member may apply in line with the Decision of the Government of the Slovak republic No. 185/2000 also for temporary protection. This includes the following family members:  • the spouse of Ukrainian citizen,

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- a minor child of Ukrainian citizen or a minor child of the spouse of Ukrainian citizen,
- the parent of a minor child who is Ukrainian citizen,
- another close relative of Ukrainian citizen who lived in the same household with him/her at the time of the circumstances relating to the mass influx of displaced persons and was wholly or partly dependent on him/her

6. In the case of mothers, other relatives and close persons, coming or being present in the Slovak Republic with children where they are not their legal representatives, the SLPCSG authorities provide these persons with counselling and assistance for the purpose of filing a petition with the competent court in the matter of appointing a guardian.

In matters of guardianship, the Ministry of Justice of the Slovak Republic issued guidelines for courts in connection with the conflict in Ukraine.

For more information see also our response to AHQ 2022.10.

7. In an effort to ensure that Ukrainian children, who have been entrusted to the temporary care of persons other than their parents, have the best possible care, which also includes the provision of proper accommodation for these children, was adopted the Government Regulation no. 93/2022 Coll. on certain measures in the field of social affairs, family and employment services in the event of an emergency, state of emergency or state of emergency declared in connection with the mass influx of foreigners into the territory of the Slovak Republic caused by armed conflict in Ukraine, effective from 30 March 2022. On the basis of this regulation, the Government of the Slovak Republic adjusted the conditions for providing contributions to support temporary supplementary care. On the basis of a court decision ordering an urgent measure (temporary court measure), if the entrusted child is a child with temporary protection, the following allowances could be paid:

- a one-off allowance when entrusting a child to temporary supplementary care, the purpose of which is to provide for the basic needs of the child, such as a bed, wardrobe, clothing, etc.
- repeated child allowance, the purpose of which is to meet the child's needs, in particular to cover the costs of alimony, upbringing, education and housing
- repeated allowance to a surrogate parent, the purpose of which is to support the performance of personal care for the child only surrogate parents who have a permanent or temporary residence in the territory of the Slovak Republic are entitled to this allowance

In case of unaccompanied minors, accommodation for such children shall be provided in an establishment where measures are temporarily replacing the child's natural family environment, the provision of which shall include, in addition to professional

			assistance, the provision of housing, meals, service activities and personal equipment to the children; provision of health care and compulsory school attendance.
龕	EMN NCP Spain	Yes	1. No
	<b>Σμαιτι</b>		2. No
			3.
			4.
			5. Although no specific measure has been promoted in relation to the family reunification of these nationals, the aliens offices have been urged to expedite these files as far as possible, and they have been reminded of the situation of force majeure of these people when assessing the file individually.
			6. The police, who are the ones who process the request, require from all adults accompanying a minor a document that proves that they are their children. If they are not or do not have documents to prove it, the police request other documents, so that they prove that they are their legal guardians. In that case or in the event that they do not have any document that proves that they are their guardians, the police register these minors in the registry of unaccompanied minors and inform the Prosecutor's Office.
			In cases where access to the International Child Protection Reception System is requested by an adult who is not one of his or her parents, as a matter of urgency, following the request for access, the host entity must ensure that that adult submits an application for foster care, care or guardianship with the competent child protection services, together with the documentation they can provide to prove the family relationship and the parental authorisation, if any. In the event of reasonable doubts as to the family relationship, the host entity shall inform the regional authority responsible for the protection of minors.
			7. Unaccompanied minors cannot be targeted by the reception system for international protection; they must enter the reception systems established by the Autonomous Communities.
-	EMN NCP	Yes	1. No

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Sweden	2. No
	3.
	4.
	5. No
	6. The child is considered as part of a family since he/she is travelling with his/her guardian.
	7. They will be given housing and care as all other children in a family.

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