

# 116 000

**THE EUROPEAN  
TELEPHONE NUMBER FOR  
MISSING CHILDREN**

**Best practices and  
recommendations**

March 2010 Review



**Missing  
Children  
Europe**



**116 000 is the European telephone number for missing children.**

**It is operated by national organisations providing support in cases of child disappearances.**

#### **Colophon**

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# 116 000

## **THE EUROPEAN TELEPHONE NUMBER FOR MISSING CHILDREN BEST PRACTICES AND RECOMMENDATIONS**

With the support of the European Commission, Daphne Programme



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### **ACKNOWLEDGEMENTS**

# INTRODUCTION AND BACKGROUND

## A. Missing Children

Every day, in every EU Member State, children go missing. Missing children may have simply run away from their home or institution, they may have been abducted by their parents or by a third person, or they may simply be lost. More and more people travel within the EU. Within the constantly expanding Schengen area they are not subjected to any kind of border controls. This makes it increasingly important to address these issues at European level.

Members of Missing Children Europe (MCE) identify the following categories of missing children:

- Runaways
- Parental abductions
- Missing unaccompanied migrant minors
- Criminal abductions
- Lost, injured or otherwise missing children.

While data on missing children are not collected in a uniform and comparable way, the caseload and experience of Missing Children Europe's 23 member organisations is worrying. Some examples:

- In 2008, the French member of MCE, La Fondation pour l'Enfance, opened 907 files related to child disappearances of which:
  - o 666 concerned actual disappearances of a child;
  - o 241 concerned information requests very often related to prevention requests for runaways or parental abduction.
- Of 1041 files of runaways dealt with by MCE's Belgian member Child Focus in 2008;
  - o 47% concerned children between 13 and 15,
  - o 12% concerned children below 13.
- Of 96 cases of missing children dealt with by the Greek member The Smile of the Child in 2008:
  - o 87 were found;
  - o 9 are still missing.



## **B. Importance of a European telephone number for missing children**

The establishment of a number that can be dialed anywhere in Europe has been at the top of the agenda of Missing Children Europe since 2005. Such a harmonised telephone number is crucial for a variety of reasons:

### **1. The cross-border nature of child disappearances.**

The phenomenon of missing children increasingly constitutes a cross-border problem, as children often disappear whilst abroad, are abducted in a border area, or disappear in one country to end up in another. Victims, worried relatives and witnesses must therefore have a number at their disposal, which can be used across Europe. When losing a child, recognising a child that has been reported missing, etc. one should have access to the necessary service through a well known and common number anywhere in Europe.

*Fact: 20% of the cases handled by the Belgian NGO Child Focus present a cross-border element*

### **2. The need for immediate intervention to find the child.**

When a child goes missing, whether in his or her home country or abroad, the case must be reported to the competent services immediately. Early intervention may be crucial in finding the child alive. It is therefore important to provide parents or guardians with immediate access to the competent service, whether at home or abroad.

*Fact: 76.2 % of abducted children who are murdered are dead within three hours of the abduction.<sup>1</sup>*

### **3. The need to provide support to parents immediately after the disappearance of a child.**

Parents, children, teachers or siblings confronted with the disappearance of a child are overwhelmed with feelings of great distress and panic. On such occasions, it is crucial for them to have a short and easily memorable number that can provide them with support wherever they are in Europe.

### **4. The need to communicate about a missing child / report testimonies beyond national borders.**

In cases of cross-border disappearance, it may be necessary to organise a single international campaign to collect sightings of the missing child in question. While these actions are currently organised on an ad hoc basis, requiring a lot of (possibly life- saving) time and money, the European telephone number may greatly facilitate these actions.

*Fact: Expanding the Schengen area is increasing the need for cross-border campaigns: runaways, abductions, parental abduction ...*

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<sup>1</sup> Katherine M. Brown, Robert D. Keppel, and Joseph G. Weis, Marvin E. Skeen. CASE MANAGEMENT for Missing Children Homicide Investigation. Olympia, Washington: Office of the Attorney General, State of Washington and U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention, May 2006, page 13



## Executive summary

The harmonised 116 000 number for hotlines for missing children was launched by the European Commission in February 2007. The NGOs which applied for the number, mostly members of Missing Children Europe, rapidly experienced a number of problems and difficulties in trying to make the number truly operational both for domestic calls and for calls from non-domestic users wishing to report a disappearance of a child in the country where they found themselves.

This is why Missing Children Europe, the European Federation for Missing and Sexually Exploited Children, applied to the European Commission for EU funding through a Daphne project for identifying these problems and drafting a “Best Practices and Recommendations” report.

A first part of the report (**Chapter B**) describes the legal background of the Commission Decision launching the 116 000 number. It is not limited to the Decision itself but also examines the wider EU telecom regulatory framework and the possible relevance and impact of some basic principles of EU law, as they have been defined by the case law of the European Court of Justice.

**Chapter C** explains the contacts that were established between the three main stakeholders groups, Missing Children Europe as the representative of the NGOs who wish to provide the hotline service, the National Regulatory Authorities represented by the European Conference for Postal and Telecommunications Administrations (CEPT), and the telecom operators represented by their respective European Associations, Cable Europe, the European Competitive Telecommunications Association (ECTA), the European Telecommunications Network Operators’ Association (ETNO) and GSM Europe.

**Chapter D** reviews the level of implementation of the Commission Decision on the 116 000 hotline in the EU Member States as reported in the working documents of the Communications Committee.

**Chapter E** explains the methodology followed by Missing Children Europe and its partners under the Daphne project. The drafting of a “Best Practices and Recommendations” document constitutes the first phase of the project. The second phase relates to the launching of a communications campaign as from 25 May 2009.

The substantive part of the report starts with **Chapter F** which summarises the findings relating to 3 aspects of the operational launching of the 116 000 hotline service: (i) the allocation of the number, (ii) the pricing issues and (iii) issues relating to the nature and the cost of the 116 000 service.

**Chapter G** gives an overview of the best practices that have been identified in relation to each of the three aspects mentioned above. They relate to a large extent to the experience obtained in the Member States where the 116 000 number was operational at the date of reporting.

**Chapter H** formulates recommendations addressed to all relevant actors: (i) the Member States, (ii) the National Regulatory Authorities, (iii) the NGOs, (iv) the European Commission. The chapter concludes by formulating the lessons learned by Missing Children Europe and the possible next steps.

# BEST PRACTICES AND RECOMMENDATIONS

## A. Object

The object of this report is to formulate a number of “best practices” and “recommendations” regarding the operational implementation of the 116 000 telephone number for hotlines for missing children, listed in the Annex to the Decision 2007/116/EEC of the European Commission of 15 February 2007, hereafter “the 116 Decision”, on reserving the national numbering beginning with ‘116’ for harmonised numbers for harmonised services of social value.

The “best practices” are the result of the information exchanged between Missing Children Europe and 11 of its member organisations<sup>2</sup> regarding their experience in the respective Member States when applying for the allocation of the 116 000 hotline service.

The “recommendations” are also based on this experience and aim at improving the 116 000 allocation process and guaranteeing the effectiveness and quality of the hotline service.

The formulation of the “best practices” and the “recommendations” constitutes phase 1 of a project undertaken by Missing Children Europe and the 11 member organisations mentioned above within the framework of the Daphne III Programme 2007-2013.

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<sup>2</sup> The participating member organisations are: Child Focus from Belgium, IAC from Portugal, ISPCC from Ireland, Itaka Centre for Missing People from Poland, Focus from Romania, Kék Vonal from Hungary, La Fondation pour l’Enfance from France, Missing People from the United Kingdom, Telefono Azzurro from Italy, The Smile of the Child from Greece, Thora Center from Denmark and Linka detskej istosy from Slovakia.

## B. Legal background

*Note: The legislative framework and background of the 116 000 hotline number for missing children has undergone some fundamental changes after the publication of a first version of this “Best Practices and Recommendations” document in October 2009. Wherever necessary the content of this chapter will be updated accordingly (target date of the updating: January 2010).*

### 1. Assignment of numbering resources under the telecom Framework Directive<sup>3</sup>

Basically, within the European Union, the assignment of numbering resources and the management of the national numbering plans is a matter for the Member States<sup>4</sup>. However, Member States “shall support the harmonisation of specific numbers or numbering ranges within the Community where it promotes both the functioning of the internal market and the development of pan European services”.<sup>5</sup> The “harmonised services of social value” mentioned in the 116 Decision are a type of “pan European services” for which the Commission may thus require the Member States to set up harmonised numbers for harmonised services.

### 2. The 116 Decision: Harmonised numbers for harmonised services of social value

116 000 is the first of a range of six digit telephone numbers beginning with 116 which, under the 116 Decision, must be reserved in national numbering plans for “harmonised numbers for harmonised services of social value”.<sup>6</sup> The Commission defines a harmonised service of social value as “a service meeting a common description to be accessed by individuals via a freephone number, which is potentially of value to visitors from other countries and which answers a specific social need, in particular which contributes to the well-being or safety of citizens, or particular groups of citizens, or helps citizens in difficulty”.<sup>7</sup>

The 116 000 number is to be reserved for hotlines for missing children. The description of this service in the Annex to the 116 Decision is as follows: “the service (a) takes calls reporting missing children and passes them on to the Police; (b) offers guidance to and supports the persons responsible for the missing child; (c) supports the investigation”.<sup>8</sup> The service is to be continuously available (i.e. 24 hours a day, 7 days a week, nation-wide)<sup>9</sup>.

Underlying the Commission Decision is the idea that the same service which is provided in different Member States must be accessed by end-users using the same number. “The combination ‘same number-same service’ will ensure that a specific service in whichever Member State it is provided is always associated with a specific number within the Community. This will provide the service with a pan-European identity to the benefit of the European citizen who will know that the same number dialed will give access to the same type of service in different Member States”.<sup>10</sup>

An essential component of the harmonisation of harmonised numbers for harmonised services of social value is the freephone nature of the numbers<sup>11</sup>. Special freephone numbers providing services of a social

<sup>3</sup> Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services, OJ L 108/33 of 24.4.2002, as amended by Directive 2009/140/EC of the European Parliament and the Council of 25 November 2009, OJ L 337/37 of 18.12.09

<sup>4</sup> Art. 10(1) of the Framework Directive

<sup>5</sup> Art. 10(4) of the Framework Directive

<sup>6</sup> Art.1 of Decision 2007/116/EEC, OJ L 49/30 of 17.2.2007

<sup>7</sup> Art.2 of Decision 2007/116/EEC

<sup>8</sup> Annex to Commission Decision 2007/698/EEC amending Decision 2007/116/EEC, OJ L 284/31 of 30.10.2007

<sup>9</sup> Idem

<sup>10</sup> Recital 2 of Decision 2007/116/EC

<sup>11</sup> A distinction must be made between “freephone” calls and “free to the caller” calls. A “freephone” number is a number which, usually at the initiative of the called party, is made free to the originating customer (a subscriber/calling party) and paid by the called party. The called party is by contract the customer of the freephone service wanting to receive calls. The nature of the service being accessed by the freephone is “recipient-centric”, e.g. a helpdesk, or a

nature exist throughout Europe but different countries use different numbers for the same service. Common numbers facilitate the provision of services at a European level and help European travelers who are able to use the same number everywhere in Europe.

The 116 Commission Decision is, technically speaking, a “numbering decision”, which, considered in itself, gives it a very specific and narrow scope. Under the Decision the only obligations for the Member States are (i) to ensure that 116 numbers listed in the Annex of the Decision are used only for the services for which they have been reserved, (ii) to attach a list of general conditions safeguarding the “social value” nature of the service (e.g.: “there is no payment, or payment commitment as a prerequisite to use the service”), (iii) to attach, for each individual 116 number, the specific conditions as set out in the Annex of the Decision<sup>12</sup>, (iv) to ensure that the National Regulatory Authority “can assign” the numbers referred to in the Annex as from a certain date (31 August 2007, in the case of the 116 000 number). Member States do not have an obligation to ensure that the service in question is provided within their territory<sup>13</sup>.

### **Overview: the 116 Decision and problems relating to its operational implementation**

This brief overview of the content of the 116 Decision from the outset identifies several features which give rise to several problems relating to its operational implementation:

- The Decision relates to the efficient cross-border provision of services of social value but it is, technically speaking, exclusively a telecom numbering decision;
- Member States are not obliged to establish operational 116 numbers: they only have to “reserve” the numbers (i.e. not allocate them for other services) and open the possibility of assignment;
- Member States do not even have to promote the launching of common numbers for services of social value;
- The freephone principle puts the financial burden of the cost of the telecom communication on the called party, i.e. the 116 service provider, without any obligation on either the Member States or, as explicitly stated in Recital 3 of the 116 Decision, on the operators to contribute to the financing of this specific cost;
- The provisions of the 116 Decision are common to all 116 numbers, regardless of the type of service of social value, its importance or its degree of urgency.

### **3. The Public Consultation document**

One month after issuing the 116 Decision the Commission launched a Public Consultation for the identification of services of social value in Europe that could benefit from single European freephone numbers starting with 116. The document again underscores a very narrow approach.

Regarding the cost of calling a 116 number it confirms the approach according to which calls to 116 numbers will be treated in the same way as calls to existing freephone numbers where most or all of the

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customer support centre. Recital 3 of the Commission Decision specifies that the freephone nature of the 116 numbers does not mean that operators would be obliged to carry calls to 116 numbers at their own expense. The contract subscribed by the called party may determine under what circumstances the freephone service may still be totally or partially charged to the caller. A «free to the caller» call is never charged to the caller, regardless of routing, type of networks and commercial agreements. “Emergency numbers” are free to the caller numbers.

<sup>12</sup> In the case of 116 000 the service must be continuously available (i.e. 24 hours a day, 7 days a week, nation-wide)

<sup>13</sup> Article 5(2) of Decision 2007/116/EEC

costs of the call is borne by the called party. The Commission Decision does not oblige the operators to carry calls to 116 numbers at their own expense. *“Organisations providing a service of social value using a 116 number must therefore be prepared to accept the cost of incoming calls, in accordance with the terms of the contract with their electronic communication provider (telecom operator)”*.<sup>14</sup>

Other comments in the Public Consultation Document which will prove critical for the operational implementation are:

- (i) *“there is no obligation on the Commission, or on the Member States to ensure that the service for which a 116 number is reserved is actually provided. However where a number is assigned at national level and not used, it is open to a Member State to re-assign the number to another entity, in accordance with relevant national law”*,
- (ii) *“there are no European funds for this action”*.

#### 4. The telecom directives

As indicated above (see the reference above under 1) to Article 10(4) of the Framework Directive) the 116 Decision is part of the general telecom regulatory framework. It is therefore essential not to isolate the provisions of the 116 Decision which, as stressed before, lead to giving it a narrow scope, but to complement them with the provisions in the general regulatory framework. As exposed above a new legislative framework was introduced in November 2009 by the publication of

- Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending a.o. Directive 2002/136/EC on universal service<sup>15</sup> and
- Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009 amending
  - o Directive 2002/21/EC on a common regulatory framework, 2002/19/EC on access to and interconnection of electronic communications networks and associated facilities, and
  - o Directive 2002/20/EC on the authorisation of electronic communications networks and services<sup>16</sup>.

It will be seen that, following these amendments, there is now a formal integration of the 116 000 number in the broader telecom framework, which indeed supports MCE's position that the former approach, based solely on a strict interpretation of the 116 000 Decision, was too narrow.

#### *End-user access*

Guaranteed access of end-users to telephone numbers is a cornerstone of the telecom legal framework.

The Annex to the so-called Authorisation Directive<sup>17</sup>, under A.4. clearly formulates it as one of the conditions which Member States may attach, under Article 6(1) of the directive, to the “general authorisation to the right of use of numbers”.<sup>18</sup>

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<sup>14</sup> Public consultation document under 2.3.

<sup>15</sup> OJ L 337/11 of 18.12.2009

<sup>16</sup> OJ L 337/37 of 18.12.2009

<sup>17</sup> Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services, OJ L 108/21 of 24.4.2002

<sup>18</sup> “Accessibility by end users of numbers from the national numbering plan, from the European Telephone Numbering Space, the International Freephone Numbers, and where technically and economically feasible, from numbering plans of other Member States, and conditions in conformity with Directive 2002/22/EC (Universal Service Directive)”

### Interconnection

The effective use of the 116 000 number, as a domestic number but even more so as part of pan-European services, is of course linked to the necessary conclusion of interconnection agreements between all telecom operators concerned. Article 4(1) of the so-called Access Directive<sup>19</sup> provides that *"operators of public communications networks shall have a right and, when requested by other undertakings so authorised, in accordance with Article 4 of Directive 2002/20/EC (Authorisation Directive), an obligation to negotiate interconnection with each other for the purpose of providing publicly available electronic communications services, in order to ensure provision and interoperability of services throughout the Community. Operators shall offer access and interconnection to other undertakings on terms and conditions consistent with obligations imposed by the national regulatory authority pursuant to Articles 5 to 8"*. The reference to the obligation to negotiate interconnection in order to ensure provision and interoperability of services throughout the Community constitutes, in MCE's view, a strong argument for insisting that both the telecom sector and the NRAs (as supervisors, see below) must play a (more) proactive role with a view to achieving a truly operational 116 000 service.

### The powers of the National Regulatory Authorities (NRAs)

Article 8(3) b) of the Framework Directive formulates the obligation of the NRAs to encourage *"the establishment and development of trans-European networks and the interoperability of pan-European services, and end-to-end connectivity"*.

Article 5 (1) of the Access Directive refers to this obligation and gives it a specific content. Acting in pursuit of the objectives set out in Article 8 of the Framework Directive, the NRAs shall *"encourage and where appropriate ensure, in accordance with the provisions of this Directive, adequate access and interconnection, and the interoperability of services"*. Importantly, Article 5 further insists that the NRAs shall exercise their responsibility *"in a way that promotes efficiency, sustainable competition, efficient investment and innovation, and gives the maximum benefit to end-users"*.<sup>20</sup>

It is added that National Regulatory Authorities *"shall be able to impose : (a) to the extent that is necessary to ensure end-to-end connectivity, obligations on undertakings that control access to end-users, including in justified cases the obligation to interconnect their networks where this is not already the case"*.

The recent amending Directive 2009/140/EC inserts in Article 5(1) an additional obligation which the NRAs may impose: *"(ab) in justified cases and to the extent that is necessary, the obligations on undertakings that control access to end-users to make their services interoperable"*.

The new paragraph 4 of Article 5 of the Access Directive states that *"with regard to access and interconnection referred to in paragraph 1, Member States shall ensure that the national regulatory authority is empowered to intervene at its own initiative where justified in order to secure the policy objectives of Article 8 of Directive 2002/12/EC ( Framework Directive) ..."*. The important amendment here is that, under the former provision this possibility of intervention was also provided *"at the request of either of the parties involved, in the absence of agreement between undertakings"*. MCE hopes that this amendment confirms that an intervention of the NRA is possible in order to achieve the objectives of Article 8 of the Framework Directive (see the reference above to Article 8(3) b) of the Framework Directive) whenever the undertakings cannot reach an agreement, whether or not it is requested by one of the parties, i.e. also at the request of an NGO offering a pan-European service.

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<sup>19</sup> Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities, OJ L 108/7 of 24.4.2002

<sup>20</sup> Emphasis added.



This is further clarified by Article 12 of the Access Directive, under which the NRAs “*may impose obligations on operators to meet reasonable requests for access to, and use of, specific network elements and associated facilities, inter alia in situations where the national regulatory authority considers that denial of access or unreasonable terms and conditions having a similar effect would hinder the emergence of a sustainable competitive market at the retail level, or would not be in the end-user’s interest*”<sup>21</sup>.

Article 12 further provides that operators may be required by the NRA inter alia: “... (b) to negotiate in good faith with undertakings requesting access ... (g) to provide specified services needed to ensure interoperability of end-to-end services to users, including facilities for intelligent network services or roaming on mobile networks... (i) to interconnect networks or network facilities” and that “National regulatory authorities may attach to those obligations conditions covering fairness, reasonableness and timeliness”<sup>22</sup> Article 12 (2) of the Access Directive adds that NRAs, when considering whether to impose such obligations and whether such obligations are proportionate to the objectives set out in Article 8 of the Framework Directive, shall take into account in particular: “... (f) the provision of pan-European services”. Finally, reference may also be made to the Universal Service Directive<sup>23</sup>. Under the version of the Universal Service Directive prior to the recent amendments it was striking that, even if the notion of universal service obligations is not comparable and not formally linked to the notion of services of social value<sup>24</sup>, only the “single European emergency call number 112”, not the 116 numbers were covered by Article 26 of the Universal Service Directive. The recent amendment of the Universal Service Directive has, to a certain extent, eliminated the most striking aspects of this difference in treatment.

A new article 27a was introduced covering ‘Harmonised numbers for harmonised services of social value, including the missing children hotline number’<sup>25</sup>.

Article 27a has the following content:

- Member States are under an obligation to “promote” the 116 numbers and “encourage” the provision of the services for which such numbers are reserved (paragraph 1)
- Member States must ensure that disabled end-users are able to access the 116 numbers to the greatest extent possible. (paragraph 2)
- Member States must ensure that citizens are “adequately informed” of the existence and use of services provided under the “116” numbering range, in particular through initiatives specifically targeting persons travelling between Member States. (paragraph 3)
- Member States must “in addition to measures of general applicability to all numbers in the “116” range taken pursuant to the paragraphs 1-3, make every effort to ensure that citizens have access to a service operating a hotline to report cases of missing children. The hotline shall be available on the number ‘116 000’” (paragraph 4)
- The Commission “may” adopt technical implementing measures in order to ensure the “effective implementation of the “116” numbering range, in particular the missing children hotline number “116 000”. However these technical implementation measures shall be adopted without prejudice to, and shall have no impact on, the organisation of these services, which remains the exclusive competence of the Member States (paragraph 5).

It may be noted that paragraphs 3 (information) and 6 (technical implementation) are identical to the corresponding provision in Article 26 relating to emergency numbers and the single emergency call number 112.

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<sup>21</sup> Emphasis added.

<sup>22</sup> Article 12 (1) in fine of the Access Directive

<sup>23</sup> Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users’ rights relating to electronic communications and services ( Universal Service Directive), OJ L 108/51 of 24.4.2002

<sup>24</sup> The universal service notion refers to the availability of specific services (connection at a fixed location to the public network, availability of directories and enquiry services, provision of public pay telephones and special measures for disabled users) to all end-users in the territory, independently of geographical location and at an affordable price.

<sup>25</sup> It is not entirely clear why there was a need to specify “including the missing children hotline number”, given that, of all 116 numbers, it was the first number for a harmonised service of social value to be launched...



The other provisions indicate 3 different degrees of obligation for the Member States as to the provision of the service concerned:

- The general provisions on the 116 numbers constitute the lowest level:
  - o An obligation to “promote” and “encourage”
- The provision on 116 000 is stricter:
  - o An obligation to “make every effort to ensure that citizens have access to the 116 000”
- The provision on 112 is the strictest:
  - o An obligation “to ensure” that all end –users are able to call the emergency service free of charge and without having to use any means of payment and an obligation to ensure that the calls to the single European emergency number are appropriately handled at least as expeditiously and effectively as calls to the national emergency number or numbers where these continue to be in use.

The recent Communications Committee working document COCOM10-06 of 4 February 2010 confirms that it is indeed the Commission’s intention to see to it that the very specific new requirements imposed by Article 27a of the Universal Service Directive will be transposed into national law by 25 May 2011, the deadline fixed by Article 4 of Directive 2009/136/EC.

The Commission considers that Article 27a(1) formulating the obligation to promote the 116 services and encourage their provision implies the identification in each Member State of a body to which the task of promotion and encouragement is assigned and provision for the necessary resources to be available for this purpose.

The Commission also confirms that the legislators by paragraph 4 of Article 27a “*accord special status to the 116 000 Missing Children Hotline, thereby distinguishing it from the other 116 numbers, and imposing a greater duty on Member States to act to ensure availability of this service that is the case for other 116 numbers.*” “*While this paragraph falls short of imposing an absolute duty on Member States to ensure the provision of a service, it clearly requires Member States to take specific and directed action to achieve the objective.*”

### **Overview of relevant provisions in the broader EU telecom legal framework and consequences for 116 000**

This overview of the relevant provisions in the broader EU telecom legal framework offers a strong indication that the “cautious” or “narrow” approach of the obligations of the telecom sector and the Member States (through the NRAs) formulated in the Public Consultation Document may not be unquestionable. The approach seems to be based on the “technical” nature of the 116 Decision as a purely “numbering decision”. The result however is that it substantially disregards the ultimate aim of the 116 Decision which is “*for citizens of the Member States, including travelers and disabled users, to be able to reach certain services that have a social value by using the same recognisable numbers in all Member States.*”<sup>26</sup>

It is the view of MCE and its members that the narrow approach based on the technical nature of the 116 Decision is flawed, both from an operational point of view and in legal terms, if one takes into consideration the objective of the launching of 116 numbers in general and of the 116 000 number for hotlines for missing children in particular.

(i) It is flawed from an operational point of view:

<sup>26</sup> Recital 1 of the 116 Decision

The harmonisation of the 116 numbers (i.e. the reference to the “same recognisable numbers”) - which in itself is indeed a purely numbering issue - is only needed because it is linked, as an instrument, to the EU-wide provision of a “harmonised service of social value”. There is no point in having a harmonised number if the service concerned cannot be offered, as part of a pan-European network, in an effective and efficient way.

(ii) It is flawed from a legal point of view:

In its case law the European Court of Justice has constantly emphasised that the interpretation of EU law provisions must be principally based on the achievement of the objective of the provision (the so-called “teleological interpretation”). A technical, narrow interpretation which jeopardises or endangers the achievement of the ultimate aim of the provision is certainly disputable in law.

The broader regulatory framework of the telecom sector explained above indeed confirms, through the various provisions mentioned above, that there is ample room for a more pro-active and constructive approach based on the end-user’s interest. The fact that, in the case of the 116 000 number, the end-user is a relative of a child that has disappeared or a person willing to submit valuable information regarding a missing child only reinforces the need for a constructive and pro-active interpretation.

The very recent introduction of a specific provision for 116 000 numbers in the Universal Service Directive is a welcome first step in the right direction. It is to be hoped that both the Member States and the Commission will see to it that the type of best endeavours provision specifically ruling the 116 000 number and the possibility of the Commission to take adequate implementing measures will make the operational launch of the 116 000 number easier.

## 5. Other relevant elements of EC and/or EU legislation

### *Possible discriminatory aspects of the freephone principle*

Article 12 of the EC Treaty (now Article 16 D of the Treaty on the Functioning of the European Union, hereafter the TFEU) provides that “any discrimination on grounds of nationality shall be prohibited”. This prohibition of discrimination based on nationality is applicable both to national and to EU law. Moreover it does not only apply to “direct discrimination” by direct reference to nationality but also to “indirect discrimination” by reference to provisions which, although formally applicable regardless of nationality, in practice result in a less favourable treatment in a Member State of nationals of other Member States. In addition the ECJ case law has also established that a measure may not place Community citizens (= “Union citizens as from 1.12.09”) at a disadvantage when they wish to exert their activity beyond the territory of a single member State<sup>27</sup>.

The question arises whether the freephone principle does not infringe both principles exposed above.

It indeed leads to a situation where the domestic mobile telephone call to the local 116 000 service provider will be treated differently from the non-domestic EU call (e.g. a call to the Greek 116 000 hotline operator by a Greek parent and a similar call by a non-Greek EU parent who is holidaying with his children in Greece and wishes to report the disappearance of one of the children). Although in both cases the cost of the call will be governed by the freephone principle, in the case of the non-domestic mobile call there will necessarily be a differential treatment due to an element of roaming<sup>28</sup>.

<sup>27</sup> ECJ, judgments of 7.7.1988, case 143/87, Christopher Stanton v. Inasti, joined cases 154 and 155/87, RSVZ v. Heinrich Wolf

<sup>28</sup> The roaming issue was brought to the attention of the Commission by letter of 1 April 2009 by Missing Children Europe. The Commission addresses it in its COCOM09-18REV 1 report of 23 July 2009. See also further in this report

As explained above<sup>29</sup> the freephone principle envisages that the connection costs (including the roaming costs) will either have to be supported by the service provider or charged to the caller. In the first case (cost supported by the service provider), the service provider (the Greek hotline provider, in the example above) will be confronted with the risk of a considerable financial disadvantage if it wishes to fully support the cross-border and pan - European dimension of the service by also taking the non domestic calls rather than limiting itself to purely domestic calls (which raises the question of compatibility with the principle formulated in the "Stanton" and "Wolf" case law, mentioned above). In the second case (roaming cost charged to the caller) the non-domestic EU mobile caller, who will have to support the roaming cost, will be treated less favourably than the domestic mobile caller when using the same service, even if they are calling from exactly the same location in Greece (which raises the question of possible violation of the non-discrimination principle).

The importance of the above-mentioned non-discrimination principle is underlined by Article 10 of the Access Directive which provides that the NRAs may impose obligations of non-discrimination in relation to interconnection and/or access.

#### *Discriminatory treatment of the 116 000 service?*

There may be an additional element of discrimination more fundamentally related to the regulatory framework of the 116 000 service.

The ECJ case law has established that there is a general principle of non-discrimination applicable in EU law, according to which it is not only discriminatory to treat similar or comparable situations differently but also to treat different situations equally.

#### *No differences between 116 services?*

In this respect one may question the possible discriminatory nature of the principle according to which all 116 numbers must be treated equally with regard, among others, to price and access conditions, although, as some NRAs have observed<sup>30</sup>, clearly there are very different degrees of social need and urgency between hotlines for missing children and, for instance, hotlines for lost or stolen credit cards (which are one of the future categories of 116 services envisaged and which, in fact, led to the legislation on harmonised services of social value).

#### *Comparison with the status of the 112 emergency number*

Before the recent introduction of a specific provision on 116 numbers, with a specific status for the 116 000 number, in the Universal Service Directive there was an obvious difference in treatment, which in MCE's mind amounted to a discrimination, between the status of the emergency number 112 which was integrated in the Universal Service Directive, and the 116 000 number. The latter fell under the broader category of numbers for harmonised services of social value but was not integrated in the Universal Service Directive and therefore had a much weaker status as to the type of obligations falling on the Member States. In the October 2009 version of the present updated Best Practices and Recommendations Guide (i.e. the version prior to the modification of the 116 000 status) MCE exposed that the fact that 116 000 is more comparable to the 112 number than to the other 116 numbers was strongly supported (i) by the service description and the specific conditions attached to the right of use of the number 116 000 in the Annex to

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<sup>29</sup> See above footnote 11

<sup>30</sup> See Ofcom's reply to the questionnaire circulated by Missing Children Europe for the meeting organised in Brussels on 29 & 30 January 2009.

the 116 Decision, as amended by Decision 2007/698/EC<sup>31</sup> and (ii) by the fact that two Member States (France and Belgium) have indeed conferred the status of emergency number on the 116 000 number.

As exposed above the recent integration of the 116 numbers in the Universal Service directive under Article 27a has the merit of:

- (i) confirming that their status is not limited to a technical “numbering” issue, but that the harmonised service of social value accessible through these harmonised numbers are the central element justifying their integration into the regulatory framework for electronic communications networks and services<sup>32</sup>;
- (ii) specifying and extending the obligations of the Member States as to encouraging the provision of 116 services;
- (iii) emphasising the specific status of the 116 000 hotline for missing children by requiring that the Member States make every effort to ensure that citizens have access to the 116 000 hotline, which in MCE’s eyes also requires the taking of action if the operational launch of the service is obstructed by the absence of agreement or cooperation at the level of the telecom operators.

*The principle of full cooperation and of “effet utile”*

Article 10 of the EC Treaty, replaced, in substance, by Article 3a, paragraph 3, TEU (renumbered 4) provides that the Member States shall take all appropriate measures to ensure fulfillment of their obligations and shall abstain from any measure which could jeopardise the attainment of the objectives of the Treaty. This principle, combined with the principle of effectiveness (the “effet utile”)<sup>33</sup> developed by the ECJ case law, implies, in MCE’s view, that the Member States and the NRAs have to see to it that all measures are taken to guarantee that 116 000 is not merely reserved and offered for allocation. If, as is clear from the 116 Decision and the underlying Framework Directive, the objective is to have operational<sup>34</sup> pan-European services of social value (see above), then, logically, any passive attitude of the national authorities is in violation of that principle. This, again, now seems to be confirmed by the recently introduced amendments to the general telecom framework, specifically the Universal Service Directive.

**Legal aspects: summary**

The analysis of the 116 Decision shows that, given its original nature as a technical “numbering” decision, common to all 116 numbers, it was narrowly construed by several stakeholders involved, such as the Member States (they only have to reserve the number and make it available for allocation), the NRAs (they leave the interconnection negotiations entirely to the telecom sector) and the telecom sector itself (which shows some reluctance to get engaged in any kind of pro-active attitude, for fear of the precedent effect with regard to other 116 numbers).

The overview of the relevant provisions in the broader EU telecom legal framework (before the amendments contained in Directives 2009/136/EC and 2009/140/EC, combined with the provision of Article 10 of the EC treaty (now repealed by the Treaty of Lisbon) and the principle of effectiveness (“effet utile”), developed in the case law of the European Court of Justice, offered a strong indication that this “cautious” or “narrow” approach of the obligations of the telecom sector and the Member States (through the NRAs) may not have been unquestionable. There was ample room for a more pro-active and constructive approach based on the end-user’s interest and on the ultimate aim of the launching of 116 000 by the Commission.

<sup>31</sup> The comparison of the service description and specific conditions for 116 000 and for 116 111 and 116 123 is eloquent in this respect

<sup>32</sup> See recital 45 of Directive 2009/136/EC

<sup>33</sup> See ECJ judgment of 22.9.88, case 187/87, Land de Sarre and others v. Ministre de l’Industrie, des P et T et du Tourisme and others

<sup>34</sup> Emphasis added.

It could indeed be kept in mind that the ultimate goal of the launching of 116 000, as from the beginning, was to enable citizens in the EU, specifically parents of missing children, to be able to reach a hotline for missing children by using one and the same number in the largest possible number of EU Member States. The launching of the harmonised number is the instrument to achieve that aim. However, there is little or no point in having a harmonised number – which is the technical numbering aspect – if, because of the legal and technical options taken, the service concerned cannot be offered, as part of a pan-European network, in an effective and efficient way.

The fact that in the case of the 116 000 number the end-user is a relative of a child that has disappeared or a person willing to submit valuable information regarding a missing child only reinforces the need for a constructive and pro-active interpretation.

Questions could also be asked, from a legal point of view with regard to the possible discriminatory situation that arises for EU citizens travelling in another EU Member State, when it appears that, because of technicalities related to the freephone principle, only the residents of that Member State can reach the local 116 000 hotline from their mobile phones.

Finally, one could also wonder whether the absence of distinction made between 116 000 for hotlines for missing children and the other 116 000 numbers, as well as the difference in treatment between 116 000 and the 112 emergency number, is not, legally speaking, a form of discrimination.

The recent amendments of the telecom directives and, very specifically the integration of the 116 numbers in the Universal Service directive under Article 27a have the merit of:

- (i) confirming that their status is not limited to a technical “numbering” issue, but that the harmonised service of social value accessible through these harmonised numbers are the central element justifying their integration into the regulatory framework for electronic communications networks and services<sup>35</sup>;
- (ii) specifying and extending the obligations of the Member States as to encouraging the provision of 116 services;
- (iii) emphasising the specific status of the 116 000 hotline for missing children by requiring that the Member States make every effort to ensure that citizens have access to the 116 000 hotline, which in MCE’s eyes also requires the taking of action if the operational launch of the service is obstructed by the absence of agreement or cooperation at the level of the telecom operators.

It is to be hoped that the Commission will take a pro-active approach both to the monitoring of the way in which the Member States will comply with their new obligations following the amendments to the telecom regulations by 25 May 2011<sup>36</sup> and that it will itself not hesitate in adopting the necessary “technical measures” for the effective implementation of the 116 000 hotline for missing children as provided by Article 27a of the Universal Service Directive.

<sup>35</sup> See recital 45 of Directive 2009/136/EC

<sup>36</sup> As exposed in this Guide 25 May happens to be the International Missing Children Day

## **C. Contacts between relevant stakeholders**

Reserving a single common telephone number for hotlines for missing children across the European Union has been, as mentioned above, a priority for Missing Children Europe since 2005.

In January 2006 the Missing Children Europe Board defined a strategy to reserve a common European telephone number for hotlines for missing children. Contacts were established with the European Commission, DG Information Society and Media as well as with the European Conference for Postal and Telecommunications Administrations (CEPT) on the possibility of reserving a European telephone number for missing children. Presentations on the subject were made<sup>37</sup> to the competent bodies. At the same time the necessary contacts were established with the other stakeholders, including the members of Missing Children Europe as well as the Child Helpline International network, to define the service description for the hotline. A submission was made to the Commission for proposal to the COCOM, requesting the reservation of a Harmonised European Short Code for missing children, which ultimately led to the reservation of 116 000 by the Commission Decision.

After the adoption of the 116 Commission Decision, Missing Children Europe undertook negotiations with CEPT as well as with European associations of telecom operators<sup>38</sup> to agree on a harmonised and efficient assignment and operational implementation of the 116 000 number.

This led to the signing of (i) the European Industry Guidelines regarding the national implementation of 116 000 and (ii) the CEPT Statement of Intent regarding the national implementation of 116 000.

### **1. The European Industry Guidelines of 8 June 2007**

The Guidelines, signed by the main organisations of telecom operators<sup>39</sup>, are meant to contribute to the implementation of the 116 000 harmonised hotline services for missing children. Their very narrow formulation however also entailed some of the problems which would surface at the stage of operational implementation.

The first problem is clearly linked to the above-mentioned legislative technique used by the Commission when it adopted a common decision for all 116 numbers, regardless of their content, and regardless of the degree of urgency of the services concerned. As from the drafting stage of the Guidelines some of the operators' associations stressed their reluctance to engage in any kind of commitment that could be construed as a precedent to be followed for other 116 numbers. This concern is expressly formulated in the Guidelines as a justification for a strictly commercial approach to the relations between the operators and the service provider, usually an NGO<sup>40</sup>.

The second problem is precisely the "Business as usual" approach and the emphasis on the roles which the operators undertake "on a commercial basis".

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<sup>37</sup> Presentation on the need for a European telephone number at the 22nd Meeting of the Communications Committee, which assists the Commission in carrying out its executive powers under the new regulatory framework and the Regulation on the EU Top Level Domain; Presentation at the Conference for European Postal and Telecommunications Administrations (CEPT), Electronic Communications Committee (ECC), Working Group Naming, Numbering and Addressing (NNA), Task Force Harmonised European Short Codes (HESC) meeting on Harmonised Short codes of 29 June 2006

<sup>38</sup> Cable Europe, ECTA (the European Competitive Telecommunications Association), ETNO (the European Telecommunications Network Operators' Association), GSM Europe

<sup>39</sup> see previous footnote

<sup>40</sup> The signatories of the Guidelines urge their members "to utilise national industry "Business as Usual" processes to bring the numbering resource 116 000 into service, noting that these processes will be applied for other 116 candidate services in the future."



## 2. The ECC Statement of intent of 25 May 2007

In this document the ECC (Electronic Communications Committee) of the CEPT undertakes to promote the implementation of the 116 Commission Decision by:

- (i) monitoring the timely and consistent implementation of the Commission Decision in the national legislation of the EU Member States ,
- (ii) favouring a common and harmonised approach when implementing the number by assisting the NRAs in assigning the number for the provision of hotline services,
- (iii) expanding the reservation of the 116 000 number to the membership of the ECC (48 Member States), (iv) investigating the feasibility of a common approach according to which the calls to 116 000 are free to the caller,
- (iv) urging the operators to cooperate in a positive way with all stakeholders to take the necessary steps for a timely implementation of the 116 000 number.

The ECC and MCE both undertook to contribute to 116 000 implementation reports by 31 December 2007 and 30 June 2008.

### *The Follow up to the Statement of Intent*

The ECC implementation reports of 10 December 2007 and 30 June 2008 confirm that the ECC Plenary in its 17th meeting in Constanza/Mamaia (2-7 July 2007) approved the extension of the 116 Commission Decision to the CEPT membership (48 Member States).

With regard to topic (iv) mentioned above (investigating the feasibility of a common approach according to which the calls to 116 000 are free to the caller) contacts were established by the ECC, Working Group Numbering, Naming and Addressing (WG NNA), Project Team Harmonised European Short Codes (PT HESC) with the telecom operators on the occasion of a common PT HESC – ETNO – GSM Europe Workshop<sup>41</sup>. The main workshop conclusions were the following:

- Any discussions of issues related to Harmonised European Short Codes (HESC) concept respect the basic set-up for HESC given in EU Decision 2007/116/EC and the subsequent implementation by national laws concerning the number allocation and operational conditions (both for HESC providers and for operators).
- Calls using HESC should be free to the caller regardless fixed or mobile (in typical EU markets ; in a few markets, where the interconnection regime does not support distinct mobile and fixed originating pricing, a retail price may apply for calls originating from mobiles). Anyway the cost of the calls will be borne by the HESC service providers.
- Key aspect of operators support is that operation of new harmonised 116 services should fit within existing commercial modules for freephone services.
- All 116 calls should originate and terminate nationally, irrespective of whether or not the customer has roamed. If a new harmonised service requires the calls to be routed internationally, for example to reach a relevant national service point, international routing between operators should be carried out subject to commercial arrangements. This requirement should be stated in the number assignment conditions.

With regard to the commitment of positive cooperation from the operators, the Second ECC report on monitoring the implementation of the Statement of Intent refers to an ETNO presentation made in the

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<sup>41</sup> Copenhagen 19th September 2007



above-mentioned workshop according to which the operators also agreed "*to contribute to the summary 116 000 report that their associations will issue to parties involved, including Missing Children Europe, by 31st December 2007 and 30th June 2008*" as part of the signed set of Industry Guidelines on 116<sup>42</sup>.

### **Contacts with stakeholders: summary**

Missing Children Europe has established valuable contacts with the two main groups of other stakeholders.

The contacts with the European Conference for Postal and Telecommunications Administrations (CEPT) led to the signing on 25 May 2007 of a Statement of Intent by the Electronic Communications Committee (ECC) of the CEPT, in order to promote the implementation of the 116 Decision and expand the reservation of the 116 000 number to the 48 Member States of the CEPT. The contacts with the European associations of telecom operators led to the signing on 8 June 2007 of the European Industry Guidelines.

Contacts have also been established with the Child Helpline International Network, the members of which are actively involved in the setting up of a network of child helpline services with the 116 111 telephone number, which is the second 116 number being launched in the EU.

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<sup>42</sup> ECC report of 30 June 2008, p. 6

## **D. Implementation of the Decision in the Member States**<sup>43</sup>

As noted, Member States are required to reserve the 116 numbers, but there is no obligation for them to actually provide the services. Once the necessary national preparatory steps have been taken, they are also required to announce that the number is available for the provision of the service and that applications for rights of use for these numbers may be submitted. The deadline for 116 000 was that by 31 August 2007 NRAs should have been ready to assign the number to an appropriate organisation. It is then the task of the national regulators (NRAs) to assign the number to an appropriate organisation. The next step after assignment is the actual launch of the service via 116 000. This clearly depends on the service provider designated in the Member State, and is outside the control of the Commission.

According to the most recent Commission reports<sup>44</sup> the situation, as regards implementation on January 1, 2009, was as follows:

- 9 Member States (BE, DK, EL, HU, IT, NL, PT, RO, SK) have assigned 116 000
- The assignment is ongoing in 3 Member States (BU, CY, FR)
- The number is operational in 5 Member States (EL, HU, NL, PT, RO)
- The number will soon be operational in 2 Member States (BE, SK).

On the occasion of International Missing Children's Day, on 25 May 2009, Missing Children Europe, issued a press release indicating that, at that date, the number was operational in 10 Member States (BE, FR, EL, HU, IT, NL, PL, PT, RO, SK).

The Commission report of 23 July 2009 states that as of 1 July 2009 116 000 has been assigned to service providers and is functioning in 11 Member States (BE, DK, EL, FR, HU, IT, NL, PL, PT, RO, SK).

The Commission report of 2 February 2010 states that as of 1 January 2010 116 000 has been assigned to service providers in 12 Member States (the most recent assignment was to the British MCE member Missing People in October 2009. According to the report it is still only operational in 11 Member States (operational launch has not yet taken place in the UK).<sup>45</sup>

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<sup>43</sup> Information as reflected in the Communications Committee working documents on the implementation of the reserved '116' numbers

<sup>44</sup> Communications committee working document COCOM09-10 of 4.2.2009 and COCOM09-18 REV 1 of 23 July 2009

<sup>45</sup> Communications committee working document COCOM10-03

## **E. The methodology followed for the Daphne project**

### **1. First phase: preparing a best practice and recommendations guide in order to improve the pace and rate of implementation**

As explained in the project application, the first phase of the project comprises 4 steps:

- a) a preparatory meeting took place in Athens on 30 and 31 October 2008 with project partners, NRA representatives and telecom representatives with the aim of developing questionnaire templates for conducting the research;
- b) conducting research into the best practice examples and challenges met at national level in the framework of the operational implementation of 116 000 by collecting answers to a questionnaire devised by an interdisciplinary team and addressed to NGOs, NRAs, telecom operators and Ministries of Justice/Home Affairs;
- c) a round table meeting took place in Brussels on 29 and 30 January 2009 involving representations from NGOs, law enforcement, NRAs and telecom representatives, Ministries of Justice / Home Affairs and the European Commission to present and discuss best practices;
- d) the drafting of a best practice guide with recommendations based on the research conducted as well as on the conclusions of the round table.

#### *The Athens meeting*

This preparatory meeting grouped the representatives of MCE and of the 5 MCE member organisations who are partners in the Daphne project<sup>46</sup>, as well as a representative of the CEPT<sup>47</sup>. A representative of the Hungarian telecom operator Magyar Telekom was also invited. While he could not attend the meeting, he submitted a presentation which was shared with the participants.

As an introduction to the meeting presentations were given

- (i) from the perspective of the applying NGOs and the difficulties encountered during the assignment procedure, by the two MCE members who, at the date of the meeting, had successfully concluded the assignment procedure, Kék Vonal from Hungary and Smile of the Child from Greece,
- (ii) from the perspective of the NRAs by the representative of the Romanian NRA, also representing the CEPT,
- (iii) from the perspective of the telecom operators, by the representative of the Hungarian operator, Magyar Telekom.

The main object of the Athens meeting was to discuss the content of questionnaires which were to be addressed to the three main stakeholder groups (the NGOs, the NRAs and the telecom operators) and the further preparation of the Brussels meeting. Questionnaires were circulated after the meeting to these three stakeholder groups, the outcome of which was discussed at the Brussels meeting.

On the occasion of the Athens meeting a first series of best practices and draft recommendations were already formulated<sup>48</sup>.

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<sup>46</sup> Child Focus, Belgium, IAC, Portugal, Kék Vonal, Hungary, The Smile of the Child, Greece and Thora Centre, Denmark

<sup>47</sup> Mr. Paul Fischer, from the Romanian National Regulatory Authority, representing the CEPT, WG NNA, PT HESC

<sup>48</sup> A report of the Athens meeting is joined as Annex1

### *The Brussels meeting*

The meeting was attended by

- (i) 12 NGOs operating 116 000 hotlines for missing children or wishing to operate such hotlines <sup>49</sup>
- (ii) the representative of the Romanian NRA, also representing the CEPT,
- (iii) NRA representatives of the Belgian and the Hungarian NRAs,
- (iv) representatives of ETNO and of Greek and Polish telecom operators<sup>50</sup>,
- (v) representatives of the Bulgarian State Agency for Child Protection and the Hungarian Ministry of Social Affairs and Labour,
- (vi) representatives of the Commission, DG Information Society and Media and DG Freedom, Security and Justice.

A first part of the meeting was devoted to a keynote speech by Mrs. Viviane Hoffmann, Deputy Head of Cabinet of the Commissioner for Information Society and Media and introductory presentations by Mrs Ana-Dora Olteanu, DG Freedom, Security and Justice<sup>51</sup>, Mr. Paul Fischer, Chairman, PT HESC within WG NNA/ECC/CEPT<sup>52</sup>, Mr. Michael Bartholomew, Director, ETNO<sup>53</sup>, Mrs Eva Kerpel, Head of international relations, Kék Vonal and Mrs Kristine Kloeck, Managing Director Child Focus<sup>54</sup>.

The next sessions were devoted to examining and discussing the findings of the replies to the three questionnaires that had been sent respectively to the NRAs, the NGOs and the Operators. MCE made a presentation summarising the findings from the replies to the questionnaires. These findings which will be developed further indicate that there are three main recurrent sets of issues relating to

- (i) the implementation process,
- (ii) the pricing issues,
- (iii) the service description.

These three sets of issues were separately discussed in the final sessions:

- (i) "from reservation to implementation: communication between the different actors involved",
- (ii) "costs for 116 000: from emergency number to CSR",
- (iii) "defining the service".

The findings discussed at the Athens and Brussels meeting will be discussed below under F. Findings.

## **2. Second phase: launching a communication campaign**

As the 116 000 number will realise its ambition to assist parents and children faced with a child disappearance, taking steps to ensure that parents and children are informed of the numbers availability constituted a second step in the project.

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<sup>49</sup> 5 MCE members partners in the project, 6 MCE members participating in the project as 'other parties involved' and the Dutch organisation Stichting De Ombudsman (Centrum Internationale Kinderontvoering) to whom 116 000 has been assigned in the Netherlands

<sup>50</sup> OTE from Greece and Telekomunikacja Polska from Poland

<sup>51</sup> "The Freedom, Security and Justice perspective on 116 000"

<sup>52</sup> "The NRA perspective"

<sup>53</sup> "The Operator perspective"

<sup>54</sup> Presentations and speeches given on this occasion are joined as Annex 2

### *The Budapest roundtable*

Missing Children Europe and the 9 participating member NGOs<sup>55</sup> attended a meeting organised in Budapest on 13 & 14 March 2009, to discuss and agree on the key elements of the campaign. They were assisted by Missing Children Europe's pro bono partner in communication, Cambre Associates, as well as by Missing Children Europe's pro bono partner in graphic design, Base Design.

### *International Missing Children's Day*

The 116 000 communication campaign was launched simultaneously in 10 EU Member States<sup>56</sup> on International Missing Children's Day, which is commemorated annually across Europe on 25 May. The campaign ran for several months and included the organisation of national press conferences as well as the dissemination of posters, flyers, bracelets and stickers and the creation of a dedicated website: [www.hotline116000.eu](http://www.hotline116000.eu).



116 000 campaign in Rome



Greek version of the poster produced by MCE

<sup>55</sup> Missing Children Europe member NGOs participating to the campaign: Child Focus, Belgium, The Smile of the Child, Greece, Kék Vonal, Hungary, IAC, Portugal, Focus, Romania, Itaka, Poland, La Fondation pour l'Enfance, France, Telefono Azzurro, Italy, Linka detskej istosy, Slovakia.

<sup>56</sup> In addition to the campaigns run at national level by the 9 participating Missing Children Europe members, contacts were established with the Dutch Centrum Internationale Kinderontvoering, to disseminate flyers in all Ibis Hotels in the Netherlands, as well as to include the Centrum Internationale Kinderontvoering on the website.

## F. Findings<sup>57</sup>

In listing the findings of the Athens and Brussels meetings, based on the replies to the questionnaires<sup>58</sup> the chronological order of the necessary steps will be followed, subsequent to the reservation of the number, from allocating up to the operational launching of the 116 000 number.

### 1. Allocating the number

The procedure for allocating the number is entirely within the competence of the Member States. This explains why national solutions may be very different. Member States are free to use the so-called "one step" or "two step" procedure. Under the one step procedure the number is allocated to a service provider who then has to contact the telecom sector to negotiate the terms and conditions under which the service will be made accessible to the public. Under the two step procedure the number is allocated to an electronic communications service provider who then has to select a content provider (= the service provider). Some Member States have opted for the one step procedure (Austria, Belgium, Finland, Germany, the Netherlands, Portugal), some for the two step procedure (Denmark, France, Malta, Romania, the Slovak Republic, the United Kingdom), some have kept both options open (the Czech Republic). Allocation procedures may be general (for all 116 short codes) or specific for the 116 000 number (Austria, France). Some countries do not need to apply a separate 116 allocation (general or specific), to the extent that their existing national regulation covers 116 codes too (Belgium, the Czech Republic, Greece, the Slovak Republic)<sup>59</sup>.

The replies of the NGOs (and the operators in the two step procedure) indicate that they encountered medium to severe difficulties in the process for applying for allocation of the number. The difficulties encountered relate to:

- the lack of information regarding the identification of competent departments and people within the other parties concerned (the State authorities or departments, the NRAs);
- the obscure and very often bureaucratic procedures to be followed;
- the lack of pro-active approach from the other parties towards the 116 000 number and the service which is to be provided under that number.

#### *Selecting the party to whom the number will be allocated/the content provider*

At the other end of the allocation stage, the difficulties encountered mainly relate to the selection of the content provider:

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<sup>57</sup> The findings reflect the situation as it was in January 2009. This also relates to the legal aspects, among others the level of pro-active involvement of the Member State authorities. As stressed earlier in this document the recent amendments to the legislative framework at EU level, i.e. the integration of the 116 000 number in Article 27a of the Universal Service Directive, provide for a more active involvement of the Member States.

<sup>58</sup> Questionnaires were sent out to the NGOs, NRAs and telecom operators from the 11 countries covered by the MCE members who take part in the Daphne project (Belgium, Denmark, France, Greece, Hungary, Ireland, Italy, Poland, Portugal, Romania, and the UK). Responses were received from 10 of the 11 NGOs (the Italian NGO commented on the questions during the Brussels meeting), from 7 NRAs (Belgium, Denmark, France, Hungary, Ireland, Romania, and the UK) and from 6 telecom operators (Belgium, Greece, Portugal, Hungary, Poland and Romania)

<sup>59</sup> Source : ECC document HESC 116 000 Monitoring the implementation of the Statement of Intent – first phase 2007, December 10, 2007

- Different techniques exist for allocating the number when there are several applicants: (i) First come, first served, (ii) the organising of an auction/tender procedure, (iii) a selection based on objective criteria, (iv) a lottery system.
- How does one assess the capacity of the content provider? Should the allocation be made on an exclusive basis? Should one encourage "joint applications"<sup>60</sup> ?

At the more global EU level an additional problem is related to the fact that the allocation of the number depends on the existence of applicants for allocation: Member States only have to reserve the number and make it available for allocation. The COCOM reports illustrate the problem: Although the deadline for the Member States with regard to the 116 000 number (31 August 2007) falls six months earlier than the deadline for 116 111 (Child Helplines) the state of play as of 1 July 2009 was that only 11 Member States had assigned 116 000, while, at the same date 17 Member States had assigned 116 111. Missing Children Europe does not exclude the possibility that the lower number of applicants for 116 000 is linked to a lack of awareness with respect to the problem of child disappearances in several Member States, and the related lack of appropriate hotline services providing children and families with the necessary support in cases of disappearance.

### *Negotiating the interconnection*

The difficulties encountered may differ in the one step and the two step procedure.

- a) In the one step procedure the service provider to whom the 116 000 has been allocated will have to negotiate interconnection with the telecom sector. The following issues may arise :
  - The position of the telecom sector is that this is a purely commercial negotiation ("business as usual") which puts the service provider, mostly an NGO, in a weak position, all the more so as it lacks the necessary technical expertise.
  - Either the service provider will have to undertake negotiations with each individual operator or it will have to entrust the interconnection negotiations to its serving operator. In all scenarios the negotiation of interconnection agreements will take a long time, certainly when roaming issues are at stake, as they usually are, given the pan-European nature of the 116 000 service. The problem apparently is not a technical one, it is purely related to the cost issue (see below under 2.1).
- b) In the two step procedure, the problems linked to the technicality of the negotiation may be less important, because it will be the operator to whom the number has been assigned who will be in charge of the negotiation. Problems relating to the duration of the negotiations are the same.

## 2. Pricing

### *The interconnection and roaming costs*

The central issue here is that the telecom sector, on the basis of the wording of the 116 decision, considers that if the call has to be a freephone call, meaning that the caller will normally not pay for the call, the cost of the call, including interconnection costs and roaming costs will have to be covered by the service

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<sup>60</sup> This means that, in a one step procedure, the applicant content provider joins with a selected telecom operator (the serving operator) who will guarantee the termination of the calls and who will, after the assignment, negotiate the technical arrangements with the other national telecom service providers, in order to guarantee a national coverage for all incoming calls. In the two step procedure it is the applying telecom operator who contacts a service provider in order to file a joint application which enables the allocating authority to assess not only the technical capacities of the telecom operator but also the capacities of the content provider that will offer the service.



provider. The NGOs, who share the view that the call should be a freephone call and ideally free to the caller, consider that it is not realistic to expect the service providers to cover the huge interconnection and roaming costs<sup>61</sup>.

The roaming cost element to which reference was made above<sup>62</sup> specifically constitutes an important obstacle to a swift launch of operational 116 000 numbers, which should also be reachable through calls on mobile phones.

Missing Children Europe drew the European Commission's attention to this problem by a letter of 1 April 2009<sup>63</sup> addressed among other to Mrs. Reding, Commissioner for Information Society and Media and Vice President Barrot, Commissioner for Freedom, Security and Justice. In the letter it was emphasised that the nature of the problem is not technical, given that the telecom companies partnering with the 116 000 service providers have no problem with trying to secure interconnection and roaming for the number, provided it is clear which party will support the cost. Missing Children Europe drew the Commission's attention to the negative impact of the lack of clarity regarding the financing of the cost of the call, in particular when the caller is travelling outside the geographical coverage area of the home network, and reaching the local 116 000 by using a visited network, which clearly will always be the case of holidaying parents abroad...

By letter of 27 April 2009 from the cabinet of Mrs. Reding, Missing Children Europe was informed that Mrs. Reding's services would be discussing the issue with the Member States, with a view to identifying possible actions to be taken.

The roaming problem was indeed specifically mentioned in the July 2009 Report of the Communications Committee<sup>64</sup>. In this document the Commission stresses that it shares MCE's view that putting the extra burden for worried parents abroad of finding a fixed line in order to report a disappearance is unacceptable. The Commission therefore urges Member States and NRAs *"to ensure end-to-end connectivity to 116 000 so that EU citizens can access 116 000 as soon as the number is operational, including via mobile phones"*.

#### *"Freephone numbers"*

The reference made in the Industry Guidelines to the need to "ensure that charges including retail charges for relevant parties in the communications' chain occur in a similar manner as for national freephone numbers" is not really helpful : in a number of countries "freephone numbers" are a form of marketing for commercial service providers. Freephone numbers often have a higher cost than the cost of a "regular" call, paid by the caller and the tariffs are usually significantly more expensive than for calling a geographic number<sup>65</sup>.

#### *The nature and cost of the service*

The 24 h and 7 days a week availability requirement, though recognised by most MCE members as absolutely essential, evidently also carries a huge cost.

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<sup>61</sup> In some countries the service offered before the entering into force of 116 000 was paid by the caller. While offering the service now requires an important financial investment, no additional funds are made available by the competent authorities

<sup>62</sup> See under B. Legal Background, subchapter 5.1. discriminatory aspects of the freephone principle

<sup>63</sup> Attached as Annex 4

<sup>64</sup> Working Document COCOM09-18 REV 1

<sup>65</sup> Child Helpline International, Study on the implementation of the harmonised 116 111 number, January 2009

The same goes for the language requirement. Although this is not formulated anywhere in the 116 000 Decision, it seems quite evident that the 116 000 hotline must offer its services in the local national language(s) but that it must also be accessible to all EU citizens travelling to the country concerned. This means that the service should also be accessible in other languages, at least in English. This again adds to the cost of the service.

The 116 000 Decision only addresses the issue of the telecom costs (see above), not the cost of the service. This issue however may constitute an additional obstacle: NGOs who are the usual 116 000 service providers will have to find specific funding sources for the cost of the service, which may be very large.

As to the nature of the service, it clearly appears that, although 116 000 is proposed as a “harmonised number for a harmonised service”, the service offered in the Member States where the number is operational still varies widely, with regard both to its scope and its coverage. These differences relate to:

- the cooperation with law enforcement agencies (through a written protocol or through a practical cooperation; at national and/or at regional level);
- the way in which the 24/24-7/7 availability requirement is met (through full availability of the service provider, through diversion during night and non-working hours to another fully trained service provider, or through an answering machine service ...);
- the reliance on professional staff and/or on additional trained volunteer staff .

#### **Findings: summary**

A number of problems have been identified relating (i) to the allocation procedure, (ii) to pricing issues and (iii) to the nature and cost of the hotline service itself.

The difficulties encountered at the stage of allocating the 116 000 number relate to:

- the lack of information regarding the identification of competent departments and people within the other parties concerned (the State authorities or departments, the NRAs);
- the obscure and very often bureaucratic procedures to be followed;
- the lack of pro-active approach from the other parties towards the 116 000 number and the service which is to be provided under that number.

The pricing issues relates to the interconnection costs and in particular to the reluctance of the telecom sector to secure interconnection and roaming, as long as there is no clarity as to which party will support the roaming cost. This roaming cost issue is essential: as long as it is not solved, the few 116 000 numbers that are known as being operational, cannot be reached by non-domestic callers using mobile phones. It goes without saying that this considerably reduces the effectiveness of a pan-European hotline for missing children.

The European Commission has been informed by Missing Children Europe and urges the Member States and the NRAs to ensure end-to-end connectivity so that EU citizens can access 116 000 also via mobile phones.

The main difficulty regarding the nature and the cost of the hotline service itself relates to the huge cost involved by the requirement of a 24/24 7 days a week availability of the service.

## **G. Best practices**<sup>66</sup>

### **1. Allocating the number and applying for allocation**

1.1. In a number of Member States a more pro-active and supportive attitude from the competent authorities made it possible to make the launching of 116 000 a priority and to obtain some form of financial support.

- *The Hungarian authorities recognised that the 116 000 service fits in the 2008-2010 Government programme for the protection of children's rights. This made it easier to consider the launch of 116 000 as a priority and to provide for some financial support for the running of the 116 000 service.*
- *Romania also defined a "national strategy for the protection of children's rights" in which it was possible to integrate the 116 000 project.*

1.2. Appointment of a single contact person within relevant public or private stakeholders (State agencies, NRAs, telecom operators)

- *In Hungary, Kék Vonal, the MCE member who wished to apply as service provider and wanted to directly cooperate with a telecom operator, was able to identify one person within Magyar Telecom, who, being active in the Corporate Social Responsibility department, intervened positively to facilitate all contacts with the competent technical departments (numbering).*

1.3. The competent authorities may considerably improve the allocation procedure by making the relevant information available and easily accessible to all stakeholders involved

- *The Hungarian authorities organised a conference of the larger Hungarian telecom operators on the subject of the introduction of 116 000 in the Hungarian numbering system. This was justified by the fact that a) unlike existing domestic numbers for services of social value, 116 000 is not a "short " number and b) as a six digit number it is not a "proper" number.*

1.4. The competent authorities may ask for assistance

- *The British NRA (Ofcom) asked the UK Government to convene advisory committees to assist in the selection process. The advisory committees are to have the requisite knowledge of the hotline industry to help Ofcom make the correct number assignment decisions.*

1.5. Joint applications or pre-application contacts between a service provider and a telecom operator

- *Hungary opted for the two step procedure (allocation to a telecom operator who then has to select a content provider). The Hungarian MCE member, Kék Vonal, wishing to apply as a content provider, contacted one of the major telecom operators, Magyar Telecom, with which it had in the past established very good contacts, convincing it to apply as the two step procedure telecom applicant.*
- *In Romania the applying telecom operator presented a contract with the content provider.*

1.6. How to make the selection of the service provider easier

a. Recommendation by the authorities

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<sup>66</sup> Same remark as under « Findings » with regard to the fact that these best practices reflect the situation in January 2009

- *Hungary: Once the number had been allocated to Magyar Telecom, it was fundamental for Kék Vonal to benefit from a recommendation from the Ministry of Social Affairs to convince the telecom operator that Kék Vonal satisfied all requirements to be chosen as the content provider. The same Ministry monitors the activity of the service provider which has been selected. Its recognition may be reconsidered if the Ministry considers that the service is not delivered in a satisfactory way.*
- *Portugal: It was on recommendation by the Portuguese Ministry of Home Affairs that the NRA allocated the number to the Portuguese member of MCE, Instituto de Apoio à Crianca. The recommendation was based on the fact that the organisation had a missing children hotline in place since 25 May 2004, which functions on the basis of a written protocol with the Ministry.*

**b. Use of an evaluation grid**

- *In Romania the NRA and the elected operator have recourse to an evaluation grid to verify, and eventually compare the merits of the applying service provider. A certification by the appropriate State Agency is required. The evaluation grid is published on the website of the NRA, for the evaluation of the applications.*

## **2. Pricing issues**

### **2.1. The service provider may require assistance**

- *In Greece, Smile of the Child, the MCE member to whom 116 000 was allocated in the one step procedure, convened a "technology group" of consultants to offer assistance in the price negotiations.*

### **2.2. Convincing the telecom operators to offer some support**

**a. Wait for successful price negotiations?**

- *The Hungarian MCE member decided to go for the introduction of the 116 000 number even though neither the telecom operators nor the Government had offered to bear the costs. It decided so because it felt that the number carried tremendous potential for advocacy and that, as it was acting in the interest of the children, the telecom companies would indeed contribute in the future (as they ultimately did, see the reference below to CSR programs).*

**b. With regard to the price charged**

- *The telecom operators in Portugal and Romania agreed to cover the interconnection costs.*
- *In Poland all mobile phone operators agreed not to charge the costs of the interconnection to the service provider. As result the service is free of charge for the caller and for the charity.*
- *In Hungary the service provider accepted to negotiate a "commercial price" which was defined as the minimum price charged to a medium sized business customer.*

**c. Use of the CSR program**

- *In Hungary most telecom operators agreed to refund, in whole or in part, the commercial price negotiated by Kék Vonal under "business as usual conditions" (= the "most favourable business client price").*
- *Similarly, the Greek MCE member, Smile of the Child, which provides the service, does not bear any cost, as all costs are covered by the telecom operator OTE, under its corporate social responsibility programme.*

**d. How to convince the operators to offer financial support?**

- *Smile of the Child, the Greek 116 000 hotline service provider, has direct contacts with all its sponsors (among which the telecom operator OTE) and provides them with detailed data on how many calls the service provider receives, how many children are involved, what types of calls are*

concerned, and, most importantly, how many children are found and therefore saved. The telecom operators who offer financial support receive the audited annual accounts. Smile of the Child provides a "return" by publicising their sponsorship, showing the sponsor logos on the website and on much of the printed materials. Sponsors are regularly mentioned and thanked at events and in the media.

### 2.3. Convincing the authorities to grant "emergency number" status

- In France and in Belgium, the answer to the cost problem has been found, through ad hoc legislative or regulatory intervention by granting the 116 000 number the status of an "emergency number".

### 2.4. Diversified charging arrangements: freephone or free to the caller?

- In the UK Ofcom, the NRA, has decided to consult on the appropriate charging arrangements for 116 numbers on a service by service basis – either freephone (where charging is allowed provided an announcement is made at the start of the call) or free to the caller (always free). Ofcom will use factors to determine the appropriate charging arrangements based on the level of social need or value met by the service, the likely situation of callers when they need to call the service, and the market environment in which the service operates. Those services with the strongest level of social need and where all barriers to calling must be removed because it is vital the call can be made (ie call charges; confusing charging arrangements) suggest free to the caller arrangements. The initial three 116 numbers have been classified as services of "extreme social need" and have been made free to the caller.
- Similarly, in Hungary, it is the telecom operator, Magyar Telekom, which, in one of its recommendations, recognises the "very specific nature" of 116 000 as compared to the other 116 numbers. The other services on 116 numbers could have different caller-retail-and interconnection prices.

## 3. The nature of the service

### 3.1. Phasing out the old number/ informing on the new number

- In Hungary, whenever the old number, that has been used for 15 years, is being called, the new number is being announced. The Hungarian service provider, Kék Vonal, also has an agreement with the police under which the latter provides information on the 116 000 service whenever a disappearance is reported to it.

### 3.2. Ensuring 24/24 full availability

- In Belgium and in Romania, the calls for respectively Child Focus (Belgium) and Focus (Romania) which come in during the night time and the weekends and legal holidays, are redirected to another call centre, with which the main call centre has a cooperation agreement and which ensures reception of any notification regarding missing children cases on the basis of the methodology used respectively by Child Focus and by Focus. The call centre operators benefit from the same training as the Child Focus and Focus staff. Members of the Child Focus and Focus staff are always on call during these periods in order to guarantee swift and active involvement of the Child Focus or Focus staff at any time of the day or the night.

### 3.3. How to finance the service itself?

- *In Hungary the cost of the hotline service is partially financed through Government funding, as part of the national programme for the protection of children's rights.*
- *In Portugal the operating NGO also managed to obtain Government funding for the cost of the service. The funding is however still not sufficient for a 24/24 h availability of the service.*
- *In Belgium, Child focus obtains an annually renewable endowment from the National Lottery, and works on the basis of a public private partnership.*

## **H. Recommendations<sup>67</sup>**

### **1. Recommendations to the Member States**

#### **1.1 Measures aimed at implementing Article 27a (1), (3) and (4) of the Universal Service Directive by 25 May 2011**

- i. All Member States shall promote the 116 000 number and encourage the provision within their territory of the hotline service for missing children.
- ii. All Member States in which the 116 000 number is operational shall take the necessary measures to adequately inform all citizens of the existence of the 116 000 service and of its use, in particular through initiatives specifically targeting persons travelling between Member States or nationals from other Member States residing on their territory.
- iii. All Member States in which the 116 000 number is not operational or not yet fully accessible from fixed line and mobile phone calls shall make every effort to ensure that citizens have access to the hotline service, among others by assuring end-to-end connectivity.

#### **1.2 Measures aimed at concentrating the competences in order to streamline, simplify, and improve the quality of contacts with applicants for the 116 000 number**

- i. Ideally, identify a “first stop” reference point for EU matters at national level. This may avoid either overlap of jurisdiction or cross referrals between different national administrations (Home Affairs, Justice, Social Affairs, Economic Affairs...).
- ii. More specifically, identify a single central point of reference for questions on 116 000 implementation (or, more generally on 116 numbers) to avoid any kind of overlap of jurisdiction or cross referrals.
- iii. If several actors have to be involved, each of them (ministries, NRAs, telecom operators) should identify a 116 000 project manager desk, centralising the competences.

#### **1.3 Measures aimed at guaranteeing the quality of the 116 000 service**

- i. Clearly identify the criteria on basis of which the service provider will be selected. This may assist the NRA (in a one step procedure) or the telecom operator (in a two step procedure) to make an objective and transparent choice of service provider. If the service is to be provided by one single, exclusive, content provider, the criteria will guarantee an objectively justified choice. If the service is to be provided by several content providers, the criteria will guarantee that a common standard is applied to each of them.
- ii. Define an evaluation grid, based on the criteria as defined above.
- iii. The service description in the Annex to the Commission Decision should constitute the minimal basis for the criteria and the evaluation grid.
- iv. The MCE service description<sup>68</sup> may constitute an additional tool to evaluate the quality of the service beyond the minimal service description in the Annex to the Decision.
- v. Integrate the role of the 116 000 number and the need for cooperation between the service provider and the police in the training programme of the police and in the task definition.
- vi. Involve both Ministries of Justice and Interior Affairs.

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<sup>67</sup> In this second, updated, version of the Best Practice and Recommendation Guide, the content of the recommendations has been adapted to the new legal background created by the amendments introduced by Directives 2009/136/EC and 2009/140/EC of 25 November 2009 of the European Parliament and the Council. The deadline for the member States for implementing the new obligations is 25 May 2011.

<sup>68</sup> This service description was submitted to the COCOM (see above) and used as a basis for the service description provided in the Annex of the decision. It is joined as Annex 5.



#### 1.4 Measures aimed at ensuring the financial viability of the 116 000 service

- i. If possible, grant the 116 000 service the status of an “emergency number”.
- ii. Integrate the service in the Government programme for the protection of children’s rights, in order to provide direct financial support for the 116 000 service.

## 2 Recommendations to the NRAs

#### 2.1. Measures aiming at an increased transparency of the allocation procedure

- i. Appoint a 116 000 project manager who will centralise all contacts and dealings with applicants or other interested parties.
- ii. Organise one or several meetings with the major telecom operators to inform them on:
  - the content and objectives of the 116 000 Decision;
  - the purpose, background and specificity of the 116 000 number.
- iii. Set up an ad hoc helpdesk freely accessible to all interested parties.

#### 2.2. Measures aiming at improving the efficiency of the allocation procedure

Even if the choice between the one step or the two step approach is fundamentally reserved to the Member States, there are ways to limit or neutralise the drawbacks of each of the two approaches:

- allow and encourage the applicant service provider in a one step procedure to select a telecom operator as privileged partner who will be in charge of the interconnection negotiations;
- allow and encourage the applicant telecom operator in a two step procedure to establish the necessary preliminary contacts with a suitable and qualified potential service provider before jointly applying for the number;
- define and monitor the terms of the type of partnership agreement that should be used in case of non exclusive provision of the service by several content providers (see further : reference to future “Commission Guidelines” under the Recommendations addressed to the Commission).

#### 2.3. Measures aiming at monitoring the “same service – same number” concept

Check whether the content of the service to be provided by the applicant is in conformity with the minimum standards that follow from the Decision as they should be clarified through the Commission Guidelines (see further under the Recommendations to the Commission), specifically with regard to :

- the freephone principle;
- the full availability requirement.

#### 2.4. Measures relating to the interconnection costs

- i. To the largest extent possible try to transform the freephone principle into a “free to the caller” principle;
- ii. Recognise that 116 000 is not just a service of social value, but that with regard to the charging arrangements a distinction should be made based on (i) the “level of social need or value” met by the service, (ii) the likely situation of callers when they need to call the service and (iii) the market environment in which the service operates (see the OFCOM approach: “those services with the highest level of social need, and where all barriers to calling must be removed because it is vital the call can be made, justify “free to the caller” arrangements”).

### **3 Recommendations to the NGOs who wish to apply**

#### **3.1 Measures aiming at improving contacts with the national authorities and the NRAs**

Integrate the 116 000 application in existing national strategies on children's rights

#### **3.2 Measures aiming at improving contacts with the telecom operators**

- i. Ask assistance from the NRA, specifically with regard to the supervision of the price negotiations;
- ii. Set up a team of technological advisers.

#### **3.3 Measures aiming at guaranteeing a high quality service**

Clearly define the commitment with regard to the "full availability" requirement.

#### **3.4 Measures aimed at reducing the interconnection cost**

- i. Try to obtain "emergency number" status for the 116 000 service;
- ii. If this is not possible and a commercial negotiation has to be undertaken with the telecom operators :
  - negotiate the most favourable (business) customer price;
  - negotiate a most favourable NGO price (if this corresponds to business practices);
  - play the competition;
  - or, on the contrary, try to obtain a global telecom position.
- iii. An alternative is to request a "CSR" approach from the telecom operator(s) contacted: this implies that commercial terms are being negotiated for the interconnection price, but that the telecom operators are asked for financial support under their CSR programme: this may be a reimbursement for a set amount, for a proportion of the total costs, or for the costs of the calls initiated from the network of the operator concerned. The advantage over the "commercial approach" is that the CSR approach may be specifically focused on the 116 000 number without any value of precedent with regard to the pricing of other 116 interconnection costs.

### **4 Recommendations to the Commission**

#### **4.1. Measures aiming at clarifying the content and scope of the 116 000 Decision**

- i. There is a need for "Guidelines" (formal or even informal) :
  - Highlighting the role of the 116 000 number in the broader EU strategy for the protection of the rights of the child;
  - Stressing the need for an implementation policy at national level focusing on the fact that the 116 000 Decision is more than a mere technical telecom numbering decision and that its content has to be defined in combination with Article 27a of the Universal Service Directive;
  - Underlining – possibly with reference to Article 27a of the Universal Service Directive - that the 116 000 number is not only the first of a series of numbers for a service of social value, but that it very specifically relates to a service of "extreme social value", and therefore has been granted a priority status;
  - Defining the terms used in the decision not only in their technical meaning but also in the light of the above mentioned considerations;
  - Explaining the differences and pros and cons of the one step and two steps procedures;

- Specifying – with reference to the MCE service description – the service description annexed to the Decision. More specifically, MCE suggests that the service description in the Annex to the Decision explicitly refers to the MCE service description;
  - Specifying and clarifying the minimum requirements for the most important parts of the service:
    - o specify the “freephone” principle and clarify the difference with other possibilities (free to the caller, green numbers);
    - o specify the importance of the language requirements;
    - o specify the importance of full time availability as opposed to “accessibility” (specify whether “outsourcing” the service during night hours is a possibility);
    - o clarify the “reporting to the police” condition as it poses a problem in a number of countries (it was not mentioned in the MCE service description);
  - Listing all relevant criteria which could help the NRAs and telecom operators for the selection of the appropriate service provider;
  - Defining the mechanisms that should rule the provision of the service on a non exclusive basis by several service providers;
  - Including a list of FAQs.
- ii. There should be a harmonised minimum service requirement, e.g. based on the MCE service description :
- The MCE service description can be used as the basis for the selection criteria;
  - The MCE service description would guarantee that the selection criteria are “harmonised” throughout the EU;
  - The MCE service description would help to convince the telecom operators that extended support and guidance activities are inherently part of the service description.
- iii. The Commission Guidelines should contain a reference to the MCE service description.

#### 4.2. Envisage amendments to the Decision

Examine whether “freephone” should not be transformed, at least with regard to 116 000, into “free to the caller”, independent of the originating network, meaning that the caller would never have to cover the costs of the call, whether he calls from a fixed or a mobile network .

#### 4.3. Take the necessary measures to guarantee full access to 116 000 at no cost for either the caller or the service provider

- i. Urge the Member States, pursuant to its competence under Article 9 D (1) of the TEU, to fully and adequately implement their obligations under Article 27a(1),(3) and (4) of the Universal Service Directive.
- ii. Adopt, wherever necessary, the technical implementation measures in order to ensure the effective implementation of the missing children hotline number “116 000”, pursuant to Article 27a (5) of the universal Service Directive.

#### 4.4. Envisage financial support for the funding of the 116 000 service

- i. The European Commission has proven that a policy of funding networks of national contact points such as safer Internet hotlines,<sup>69</sup> guarantees continuity, sustainability and quality of the services as well as effective cross border cooperation and representation. The European Parliament and the

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<sup>69</sup> The Inhope network (International Association of Internet Hotlines) is funded by the EC Safer Internet Programme. The national Inhope members, as well as the Inhope Secretariat benefit from EC funding. National organisations applying for funds to operate a national safer internet hotline are requested by the EC to be a member of Inhope. The Inhope membership fee (which amounts to 6200€ for NGOs) is considered an eligible fund in the framework of funding applications by national hotlines to the EC.

Commission should consider developing similar schemes for the 116 000 network, by dedicating funds for the operation of national 116 000 hotlines as well as for the European representation and coordination of these hotlines, which is undertaken by Missing Children Europe. The EU could, in other words, replicate the "Inhope scheme" which would imply that EU funding would be provided for a network structure that would guarantee a high quality 116 000 service. In such a scheme there would be double funding :

- for MCE, on condition of (i) effectively coordinating the 116 000 network and (ii) of guaranteeing a harmonised high level of quality (cf. reference to the minimum criteria) ;
  - for the national organisations that would take part in the 116 000 network structure by running the hotlines. The conditions would relate (i) to quality assurance and (ii) to MCE membership.
- ii. The Commission (the EU) should also provide for a funding formula with regard to the language problem.

## **5. Lessons learned and next steps for Missing Children Europe**

### **5.1. Measures aiming at assisting the Member States and the NRAs in defining the selection criteria**

- i. Amend and specify the MCE service description (e.g. with regard to language requirements and the screening of the teams which will be responsible for the 116 000 service).

### **5.2. Measures aiming at guaranteeing a harmonised high level service**

- i. Define a clear and non ambiguous position for all current and future service providers who are member of MCE with regard to the minimum quality level of the service to be provided:
- with regard to the full availability requirement;
  - with regard to the minimum language standards;
  - with regard to screening of staff dealing with the 116 000 service;
  - with regard to the recourse to volunteers.
- ii. Obtain a firm commitment from all current and future service providers who are member of MCE with regard to the minimum quality level of the service to be provided, as defined above under (i).

### **5.3. Improve cooperation**

- i. Agree on procedures of cooperation for cases of missing children dealt with simultaneously by two or more national 116 000 hotlines.

# GLOSSARY

- CEPT: European Conference of Postal and Telecommunications Administrations, 46 Member States - Intergovernmental body of experts in telecommunications – voluntary co-operation without legally binding powers.
- Cocom: Communications Committee: The Communications Committee has been established on 24 April 2002, with as an aim to assist the Commission in carrying out its executive powers regarding telecommunications. The committee exercises its function through advisory and regulatory procedures in accordance with the Council Comitology Decision. The committee furthermore provides a platform for an exchange of information on market developments and regulatory activities. It groups representatives of the European Commission, National Regulatory Authorities, National Ministries for Telecommunications and telecommunication operators as observers.
- DG Information Society and Media: Directorate General of the European Commission in charge of telecommunications, media, etc. More information at [http://ec.europa.eu/dgs/information\\_society/index\\_en.htm](http://ec.europa.eu/dgs/information_society/index_en.htm)
- Comitology: Although it is for the Commission to implement legislation at Community level, in practice each legislative instrument specifies the scope of the implementing powers granted to the Commission and how the Commission is to use them. Frequently, the instrument will also allow for the Commission to be 'assisted' by a committee in accordance with a procedure known as comitology. The committees consist of representatives from Member States and are chaired by the Commission. They enable the Commission to consult national governments before adopting implementing measures. The Commission ensures that they reflect the situation in each country in question as far as possible.
- Harmonised European Number: the same (national) number reserved for the same service in all Member States of the EU
- Counseling Helpline: Telephone line for children, providing immediate psycho-social support and advice on variety of subjects. Counseling helplines are represented at international level by Child Helpline International.
- HESC: Harmonised European Short Code – Concept used by the CEPT (see above) introducing 4 digit telephone numbers starting with 116 for social services responding to specific criteria.
- Hotline for Missing Children: Emergency telephone line for missing (and sexually exploited) children providing support to the victim as well as to the investigation. Hotlines for Missing and Sexually Exploited Children are represented in Europe by the European Federation for Missing and Sexually Exploited Children.
- ITU: The International Telecommunications Union, headquartered in Geneva, Switzerland is an international organisation within the United Nations System where governments and the private sector coordinate global telecom networks and services. More information is available at <http://www.itu.int/home/>
- MCE: Missing Children Europe is the European Federation for Missing and Sexually Exploited Children. It represents 23 organisations from 16 EU Member States, active in the protection of children against disappearance and sexual exploitation.
- NRA: National Regulatory Authority: Authority for Telecommunications at national level within the Member States of the European Union. Each Member State has a National Regulatory Authority (NRA), an independent body overseeing its country's national telecommunications legislation. Its role is to ensure the efficient application of regulation, contributing to competition between telecom operators and driving down prices for consumers and businesses. A list of NRAs in the different countries is available at [http://www.erg.eu.int/links/index\\_en.htm/](http://www.erg.eu.int/links/index_en.htm/)

# ANNEXES

## **Annex 1: Report of the Athens Meeting of 30 & 31 October 2008**

OVERVIEW OF DISCUSSIONS  
THURSDAY 30 OCTOBER  
MORNING SESSION

AIM OF THE MEETING:

The aim of the morning session was:

- to agree on responsibilities and timing with project partners; i.e. the 5 members of Missing Children Europe who participated in the application for funding from the European Commission;
- to introduce the different steps related to the implementation of 116 000 (national experience)

TOPICS ADDRESSED:

### **A. Overall introduction to the project: (see PowerPoint presentation)**

- o Grant agreement
- o Overall aim of the project
- o Methodology
- o Partners and organisations involved
- o Role of the different organisations involved
- o Timing and projectplan
- o Budget

### **B. National experiences in implementing 116 000**

#### **B.1. Hungary – Presentation by Eva Kerpel, Kék Vonal**

Highlight of steps undertaken and challenges met by Kék Vonal in view of the implementation of 116 000 included:

- Before launch of the EC Decision in February 2007, Kék Vonal undertook contacts with different actors and agencies including:
  - o NRA;
  - o Ministry of telecommunications;
  - o Ministry of Economy

➤ Main difficulty: lack of clearly identifiable agency, service and person in charge of the number.
- The EC deadline of 31 August for having the number reserved and ready to be assigned was not met by the NRA, as the cooperation and consent of the operators was not yet achieved.

➤ Best practice of the NRA: the NRA organised a meeting with the major telecom operators to facilitate the further implementation of the number.
- After reservation of 116- range in Hungary, challenges, included:

➤ Difficulties related to the fact that the 116 range is not a *short* code – a 6 digit number was a novelty in Hungary;

➤ Lack of understanding of the different authorities on the needs of the NGOs;
- A call for providers for 116 000, -111 & -123 was launched in November 2007, following which Kék Vonal applied for the number to the NRA and was instructed that an operator would have to do it on its behalf (two step assignment). Kék Vonal addressed a request to Magyar Telecom, one of the biggest operators in Hungary, which had been a partner of Kék Vonal for many years. Magyar Telecom's support to Kék Vonal so far included mainly the reimbursement of a considerable amount of costs generated from calls to the existing telephone lines operated by Kék Vonal. The CSR Department of Magyar Telecom which Kék Vonal was directed to for the 116 numbers however, had no competence or expertise as to the numbering side of the issue. Eventually, a top down approach became unavoidable, and a contact was established directly with the CEO, who appointed one person to deal with the issue. Following this, the number was assigned to Magyar Telecom within a week.

➤ Main difficulty: within Magyar Telecom, departments referred to one another and directed Kék Vonal from one person to another.

- In parallel, Kék Vonal undertook contacts / continued working with:
  - o The NRA
  - o The Ministry of Economy
  - o The Ministry of Foreign Affairs
  - o The Ministry of Social Affairs

➤ Main difficulty: un-transparent process and lack of clear communication between the different authorities.  
➤ Best practice: A request was put to the Ministry of Social Affairs to provide financial support for the running costs related to operating 116 000 & 116 111. This request was endorsed and a part of the costs were included in the government's budget for 2008 – 2010.

- Once the number had been assigned to Magyar Telecom, the operator started raising questions on whom the number should actually be operated by (Kék Vonal or any other NGO). Magyar Telecom stated that it was not able to take this decision. Kék Vonal undertook steps to obtain recommendations from different actors, allowing Magyar Telecom to take an informed decision. Recommendations highlighting that Kék Vonal meets the service description were provided by Missing Children Europe, Child Helpline International and the Ministry of Social Affairs. While Magyar Telecom decided to work with Kék Vonal on ground of these recommendations, it raised questions on whether or not an exclusive contract should be concluded with Kék Vonal. The agreement eventually concluded states that Kék Vonal will operate the number for as long as no other organisation is defined as being better placed to offer services for missing children.

➤ Main difficulties: Telecom operator reluctant to decide which NGO should be best placed to operate the hotline for missing children.

- A next topic of discussion between Kék Vonal and Magyar Telecom related to the pricing of the service. One of the main issues of concern was the fact that 116 000 would be implemented as a "green number". While green numbers / 0800 numbers are free to the caller, the costs of interconnection – to be carried by Kék Vonal - are in average much more expensive than those of normal numbers. In order to negotiate cheaper interconnection fees for the number and despite the fact that in the two step assigning process this negotiation is normally up to the operator, Kék Vonal started negotiating the interconnection tariffs with the different operators directly. An additional difficulty in these negotiations was the fact that minimum prices are defined by the NRA. Agreements were eventually concluded and support for covering the costs was granted by the Ministry of Social Affairs.

➤ Difficulties met in terms of pricing included:

- o The cost related to the 24h availability and national coverage;
- o The classification of the number as a 'green number' (very high cost per minute for Kék Vonal);
- o The high number of calls following the launch of the number;
- o The minimum tariffs set by the NRA.

Overall, the negotiations in view of the operational implementation of 116 000 required an estimated 20 months work on behalf of Kék Vonal.

## **B.2: Greece – Presentation by Costas Yannopoulos, Greece**

In Greece the number was assigned to the NGO (one step assignment). Hamogelo immediately established a contact with OTE, one of the main telecom operators in Greece. While OTE was very supportive, difficulties arose due to:

➤ Lack of coordination between the different departments within OTE (who is responsible for the project?);  
➤ Link between 116 000 and the existing 1056;  
➤ Difficult interconnection agreements.

While the operation of the number was considerably slowed down due to these difficulties, the number can now be dialed from almost all networks, without any costs for the caller or the NGO.

## **C. Feedback NRA (see PowerPoint presentation)**

Feedback from Paul Fischer as to the possible involvement of NRAs in interconnection agreements:

1. Involvement is regulated by:
  - o Universal service Directive;
  - o Access Directive
  - o Authorisation Directive.



- ⇒ Interconnection = subject to reciprocal negotiation;
- ⇒ NRAs have the duty to ensure adequate interconnection;
- ⇒ NRAs have to ensure end to end connectivity.

A possibility of open dispute resolution exists in case no interconnection agreements can be concluded, but this process is long and tedious.

2. The NRA can only impose rules on operators with significant market power. Where the mobile operator has the significant market power for termination / incoming calls, the NRA can impose rules.

- **Best practice** in terms of interconnection (from the perspective of the caller)
  - Freephone to be free to the caller **independent of the originating network**, meaning that the caller would never have to cover the costs of the call, whether he calls from a fix or mobile network

#### AFTERNOON SESSION

AIM OF THE MEETING:

The aim of the afternoon session was:

- to prepare for the drafting of a questionnaire to collect information on best practices in terms of reservation, allocation and implementation of 116 000.

TOPICS ADDRESSED:

#### **A. Presentation on the perspective of the operator: (see PowerPoint presentation)**

"Introducing the 116 000 and 116 111 EU harmonised numbers for harmonised services of social value in Hungary" – Istvan Villam, Mayor Telecom

#### **B. Preparation of key questions for 3 stakeholder groups (see enclosed draft questionnaires)**

- ⇒ NGO questionnaire
- ⇒ NRA questionnaire
- ⇒ Operator Questionnaire

#### FRIDAY 31 OCTOBER 2008 Morning Session

AIM OF THE MEETING:

The aim of the session was:

- to agree on the main issues and questions to be addressed in the different questionnaires, and to agree on main elements relating to the second meeting organised in the framework of the project

TOPICS ADDRESSED:

#### **A. Practical arrangements: questionnaire and best practice guide (see PowerPoint presentation)**

##### **Conclusions and action points:**

- Launch in November / jointly with invitation for January round table;
- NRA questionnaire will be launched by CEPT;
- Operator questionnaire will be launched by MCE with reference to national NGO – The questionnaire will also be sent to ETNO & GSM Europe.
- NGO questionnaire will be launched by MCE.
- Questionnaires to be sent with explanation letter.

#### **B. Preparation of the round table in Belgium & meeting in Hungary (see PowerPoint presentation)**

##### **Conclusions and action points:**

- A. Round table meeting in Brussels: Sharing best practice to facilitate implementation of 116 000
  - Date: 29 – 30 January 2009
  - Speakers: keynote by EC representative
  - ⇒ Letter to be addressed by MCE to Cabinet Reding
  - All meetings in 'full plenary' – no parallel breakout sessions

- o Preliminary discussion on the communication aspect of the project will already take place on this occasion, prior to which staff members in charge of communications among the participating organisations will be asked to provide desiderata for the logo & visuals.

**B. Second technical meeting in Hungary: Preparing communication of 116 000**

- o Date: 5, 6 March -> connected to GA meeting MCE
- ⇒ MCE will contact the new Slovak member of MCE as well as the Centre for International Child Abduction in the Netherlands to invite / inform them of the activities.

**C. Preliminary best practices & recommendations**

**Best practices identified:**

- NRAs to invite main national telecom operators to discuss implementation;
- Definition of the first stop for EU affairs to national level
- Concentration of competence for implementation of the number in one governmental agency
- Identification of one person & service at both the operator & NRA, to facilitate discussion
- Second best option to 'free to the caller': 116 000 as most favourable business client
- Running in costs after launch not to be underestimated

**Initial recommendations:**

- Certification of the service best placed to offer the service to help the NRA or operator in charge of assigning the number to an NGO;
- All 116 000 operators to be able to respond to the calls at least in the native language(s) + English. Further analysis needed to address the language problems related to the use of 116 000.
- For the EC to develop funding structures inspired by the 'Inhope – hotline' model, according to which:
  - National organisations can obtain EC funding for running the hotlines. Conditions for obtaining the funding include:
    - Quality assurance;
    - Membership of Missing Children Europe.
  - Missing Children Europe can obtain permanent funding for its activities. Conditions for obtaining the funding include:
    - Quality assurance;
    - Coordination and representation of the network of national 116 000 hotlines.

**Action points:**

- Best practice guide to include explanatory note on EC Decision to further clarify the text (terminology used, limited object of legal obligation; including possible recommendations for amendment and improvement).

**D. Conclusion on key questions to be addressed for each questionnaire**

**E. Preliminary proposals on communication campaign**

Means of communication of 116 000 could include:

- Pre-programmed cell phones;
- Reference to availability of the number in e-mail confirmation of airline ticket;
- Brochures made available by police forces;
- Credit cards;
- Billboards national borders

## **Annex 2: Overview and speeches of the Brussels meeting**<sup>70</sup>

### Round table programme

THURSDAY 29 JANUARY 2009

- 14.00**            **Opening and welcome**  
**Introduction to the project and aim of the meeting**  
Francis Herbert, Secretary General Missing Children Europe
- 14.15**            **Keynote speech**  
Viviane Hoffmann, Deputy Head of Cabinet of Viviane Reding, Commissioner for Information Society and Media, European Commission
- 14.45**            **The Freedom Security and Justice perspective on 116 000**  
Anca Dora Olteanu, European Commission, DG Freedom Security and Justice
- 15.00**            **The NRA perspective on 116 000**  
Paul Fischer, Chairman PT HESC within WG NNA/ECCC/CEPT
- 15.30**            **The telecom operator perspective on 116 000**  
Michael Bartholomew, Director, ETNO
- 16.00**            **Coffee break**
- 16.30**            **The NGO perspective on 116 000**  
Eva Kerpel, Kék Vonal  
Kristine Kloeck, Child Focus
- 17.00**            **Presentation of the first findings and best practices**  
Delphine Moralis, Deputy Secretary General, Missing Children Europe
- 17.30**            **End of the meeting**
- 19.30**            **Dinner**

FRIDAY 30 JANUARY 2009

- 08.45**            **Opening and welcome**  
Francis Herbert, Secretary General Missing Children Europe
- 09.00**            **First thematic discussion: From reservation to implementation: Communication between different stakeholders involved**  
Moderator:            Isabelle Vandooorne, DG Information Society and Media, European Commission
- 10.15**            **Coffee break**
- 10.30**            **Second thematic discussion: Costs for 116 000: from emergency numbers to CSR**  
Moderator:            Paul Tuohy, CEO, Missing People (UK)
- 11.45**            **Third thematic discussion: Defining the service**  
Moderator:            Liliana Rosu, Director Programme, Focus (Romania)
- 13.00**            **Conclusions and closing remarks**  
Francis Herbert, Secretary General Missing Children Europe
- 13.30**            **Lunch**
- 13.30**            **Presentation of the 116 000 logo proposal (Closes session: NGOs only)**  
Base Design

<sup>70</sup> PowerPoint presentations given by Paul Fischer, Eva Kerpel and Delphine Moralis available upon request. Please contact Missing Children Europe at [secretariat@missingchildreneurope.eu](mailto:secretariat@missingchildreneurope.eu)

**List of participants**  
**NGO representatives**

<b>Name</b>	<b>Surname</b>	<b>Organisation</b>	<b>Position</b>	<b>Country</b>
Bodil	Dichow	Thora Centre	CEO	Denmark
Erik	Andersen	Thora Centre		Denmark
Els	Prins	Stichting De Ombudsman		Netherlands
Mary	Nicholson	ISSPC		Ireland
Eva	Kerpel	Kék Vonal	CEO	Hungary
Didier	Chanal	Fondation pour l'Enfance		France
Arnauld	Gruselle	Fondation pour l'Enfance	CEO	France
Kristine	Kloeck	Child Focus	CEO	Belgium
Miguel	Torres Garcia	Child Focus	Director Operations	Belgium
Alexandra	Simoës	IAC	Hotline Manager	Portugal
Liliana	Rosu	Focus Romania	Director Operations	Romania
Zuzana	Ziajko	Itaka	Senior Case Manager	Poland
Sofia	Gigliani	Protegeles	Psychologist	Spain
José Luis	Zatarain	Protegeles	Project Manager	Spain
Costas	Yannopoulos	The Smile of the Child	CEO	Greece
Paul	Touhy	Missing People	CEO	UK
Cristina	Manini	Telefono Azzurro	International affairs	Italy
Francis	Herbert	Missing Children Europe	Secretary General	Belgium
Delphine	Moralis	Missing Children Europe	Deputy SG	Belgium

**NRA representatives**

<b>Name</b>	<b>Surname</b>	<b>Organisation</b>	<b>Position</b>	<b>Country</b>
Ibolya	Kiszelka	National Communications Authority - Hungary	Regulation Expert	Hungary
Tim	Nuyens	BIPT	Advisor	Belgium
Paul	Fischer	ANC/PT HESC	Head of Numbering Unit	Romania

**Telecom operators' representatives**

<b>Name</b>	<b>Surname</b>	<b>Organisation</b>	<b>Position</b>	<b>Country</b>
Michael	Bartholomew	ETNO	Director	Belgium
Leo	Debecker	ETNO	Director Operations	Belgium
Christina	Kelaidi	ETNO/OTE	General Directorate of Regulatory Affairs	Greece
Bartosz	Remisko	Telekomunikacja Polska		Poland

**Competent State Authorities**

<b>Name</b>	<b>Surname</b>	<b>Organisation</b>	<b>Position</b>	<b>Country</b>
Hristo	Monov	Bulgarian State Agency Child Protection	Vice President	Bulgaria
Iva	Nikolova	Bulgarian State Agency Child Protection	Director International Directorate	Bulgaria

Gergely	Katona	Ministry of Social Affairs and Labour	Senior Advisor, Department Child Care	Hungary
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### European Commission

Name	Surname	Organisation	Position
Vandoorne	Isabelle	DG Information Society and Media	Administrator
Hoffmann	Viviane	EC	Deputy Head of Cabinet of Commissioner Reding
Olteanu	Anca Dora	DG Freedom Security and Justice	Administrator

### Collected presentations and speeches

#### Opening and welcome - Introduction to the project and aim of the meeting

Francis Herbert, Secretary General Missing Children Europe

#### Object of the Roundtable

- This round table meeting is an important part of a project which MCE and 5 of its members (Child Focus from Belgium, IAC from Portugal, Kék Vonal from Hungary, The Smile of the Child from Greece and Thora Center from Denmark) submitted to the European Commission and for which they obtained Daphne Funding.
- The object of the project relates to the implementation and communication of the 116 000 telephone number for missing children.
- The project's objectives are twofold. A first phase is devoted to identifying and sharing best practices to facilitate the implementation. A second phase is devoted to the development and launching of a European information campaign on 116 000.
- This Brussels roundtable is part of the first phase. It involves, apart from the project partners, representatives of other NGOs, mostly but not exclusively MCE members, which directly or indirectly have an interest in the development of the 116 000 service, NRAs, telecom operators, Ministries of Justice / Home Affairs or specialised agencies, and, of course representatives of the European Commission.
- Its object is to identify, on the basis of the answers to the three questionnaires that were sent respectively to the NGOs, the NRAs and the telecom sector, possible best practices in order to achieve two objectives :
  - The first objective is to offer advice on the possible ways to improve the procedures which in the Member States should lead not only to the allocation of the number, but, more importantly, to a swift operational launching of the service.
  - The second objective, which is of course linked, is to achieve a territorial coverage that is as wide as possible and that ultimately covers the entire EU.

#### The background

- 116 000 is a European hotline number for missing children. It is an indispensable instrument in the fight against disappearances within a European Union which increasingly is border free. Let us not forget that "missing children" are not only the victims of criminal abductions, which fortunately are rare. Runaways, parental abductions, disappearances are other categories for which the existence of a European hotline number may be of crucial importance. As we will hear from our NGO members, an increasing amount of cases of missing children are cross border cases. The child may be missing in another country than its home country, it may be abducted to another country or it may have been seen by a member of the public in another country. Immediate and easy access to one and the same service through one and the same telephone number wherever in Europe is therefore of major importance.
- This is why Missing Children Europe urged the European Commission to reserve one single and common hotline number to assist the families (and in many cases also the children themselves).
- The Commission issued its Decision, under the appropriate number 2007/116/EC, on 15 February 2007. Its legal scope however is limited. The only obligation the Member States are subjected to is the obligation to reserve the number for a hotline for missing children, i.e. not to allocate it for any other type of service. Once the necessary

preparatory steps have been taken (assignment should have been made possible as from 31 August 2007) the only obligation on the Member States is to announce that the number is available for the provision of the service and that applications may be submitted. An interesting legal question is to what extent Member States are also under obligation, under the theories of the obligation to cooperate and the theory of "effet utile", to see to it that when an application is lodged, it is efficiently and transparently dealt with, and... that price negotiations between the telecom operators and the NGOs do not unnecessarily delay the launching of the service.

- Today ( almost two years after the Decision was taken) the number has indeed been reserved in all Member States, and – as far as we know - allocated in 8 of them. It is however only operational 24 hours a day, 7 days a week in 3 Member States: Hungary, Greece and the Netherlands. It is operational during business hours in Portugal, and operational on the network of the incumbent operator only in Romania.
- Nobody will dispute that this is not an impressive result. It certainly underlines the importance of our two phase-project

#### Findings of the Athens preparatory meeting

- The preparatory meeting on 30- 31 October 2008 which took place in Athens involved all 5 MCE members which are partners in the Daphne project. Its main object was to prepare the Questionnaires which have been sent respectively to the NGOs, the NRAs and the telecom operators to prepare this Brussels roundtable.
- The discussions and , more importantly, the information provided by the Hungarian and the Greek MCE members on their experience in applying for the number gave a clear indication of the type of problems which should be examined at this Roundtable in order to draft a best practices guide .
- The following clearly emerged :
  - For the Commission :
    - the need to clarify the scope of the Decision
    - the need to develop funding structures for the running of the service by the NGOs
  - For the NRAs and telecom operators :
    - the need to certify the NGO best placed to offer the service
    - the need to concentrate the competence for assigning and negotiating the conditions
  - For the NGOs :
    - The need to agree on a common basic module for the 116 000 service, in order to guarantee a minimum harmonisation of the content (e.g. as to the language(s) to be used , which should at least include English).

The Athens meeting also clearly indicated, apart from an apparent lack of interest in a number of Member States, two of the main reasons for the very slow progress in those Member States where, finally, the number has been made operational or is going to be shortly, are (i) the cost/ price discussions between NGOs and telecom operators and (ii) the lack of transparency, not to say the opacity, of the governmental structures the applying NGOs are confronted with.

#### The Questionnaires

- An overview of the answers received to the 3 questionnaires will be provided by the Deputy Secretary General, Delphine Moralis, at a later stage as an introduction to our discussions.

### **Keynote speech**

Viviane Hoffmann, Deputy Head of Cabinet of Viviane Reding, Commissioner for Information Society and Media, European Commission

#### **"Mise en œuvre et communication du numéro 116 000: le numéro de téléphone Européen pour les enfants disparus "**

Mesdames et Messieurs,

Permettez-moi d'abord de vous remercier de m'avoir invitée à cette table ronde, en tant que Chef de cabinet adjoint de Mme Viviane Reding, membre de la Commission européenne en charge de la Société de l'information et des médias.

Je suis sûre que vos discussions pendant ces deux journées apporteront des résultats concrets, pour la mise en œuvre du numéro 116 000, partout dans l'Union européenne.

La protection des enfants est un sujet qui nous tient tous particulièrement à cœur.

Etant en charge des technologies de l'information et de la communication, Madame Reding s'attache pour sa part à promouvoir une société de l'information qui soit réellement au service des citoyens, en consacrant une attention particulière à la protection des enfants et adolescents. Tel est, par exemple, l'objet du "Safer Internet Programme" dont le successeur vient d'être adopté pour la période 2009-2013. Tel est bien sûr l'objet du numéro de téléphone 116 000.

Il est apparu très clairement qu'un numéro d'appel unique paneuropéen était nécessaire pour contribuer à lutter contre la disparition d'enfants. La tragédie des disparitions ne connaît pas les frontières. Il est important de pouvoir répondre rapidement et efficacement à une situation de crise n'importe où en Europe. Le 17 janvier 2007, à Paris, Madame Reding annonçait l'adoption d'une Décision de la Commission européenne réservant le numéro 116 000 à cette fin. Son adoption eut lieu le 15 février 2007. C'est bien sûr un outil complémentaire au dispositif du type "alerte enlèvement".

Ce numéro s'inscrit dans une initiative plus large qui vise à créer des numéros communs en Europe pour aider les citoyens qui sont face à des situations graves ou urgentes et qui peuvent exiger des réactions au-delà des frontières nationales. Ils ont besoin de savoir qu'en appelant, ils auront l'aide qu'ils attendent, partout en Europe.

La mise en œuvre concrète de chaque Décision est du ressort des Etats membres, des régulateurs nationaux, des opérateurs télécom et, enfin, des organisations qui désirent fournir le service et accueillir et traiter les appels. Chacun a un rôle à jouer afin de rendre ces numéros opérationnels. La coopération entre toutes les parties est donc essentielle. A cet égard, je tiens à féliciter votre fédération qui coordonne avec efficacité la mise en place du numéro 116 000.

De plus, j'aimerais vous informer que Madame Reding a l'espoir que les négociations en cours sur la réforme du cadre réglementaire des télécommunications aboutiront sur un accord pour inclure des dispositions qui faciliteront la mise en place de et l'accès aux lignes d'urgence pour signaler la disparition d'enfants. Cela consolidera le travail entamé par la Décision.

Deux ans après l'adoption de la Décision relative au 116 000, les premiers résultats commencent à se matérialiser, en ce qui concerne l'attribution du numéro. C'est une bonne nouvelle, même si, tout en étant conscients de la complexité du travail sur le plan national, nous aurions souhaité des résultats plus rapides, vu l'urgence d'un tel outil.

Madame Reding a, pour sa part, fait pression vis-à-vis des Etats membres, en insistant, notamment, sur un rapport régulier de mise en œuvre. Le rapport que la Commission publiera en février prochain, soulignera certains progrès, et montre que la phase initiale, celle qui concerne les régulateurs nationaux de télécom, se termine. En effet, tous les Etats membres seront en mesure dès février d'attribuer le numéro 116 000.

En juillet dernier, le précédent rapport de la Commission soulignait qu'en matière de communication sur la disponibilité du numéro, la plupart des Etats membres n'avaient pas fourni beaucoup d'efforts. Cela se limitait souvent à une page mise à jour du site internet du régulateur des télécom. Il y a cependant de bonnes pratiques à souligner: certains Etats membres ont adressé des lettres aux fournisseurs potentiels, ou ont organisé des réunions d'information.

Puisque la Décision de la Commission n'impose pas aux Etats membres d'attribuer le numéro, mais "seulement" de le réserver et d'informer le public et les fournisseurs potentiels de son existence, il est crucial que les organisations qui souhaitent fournir le service expriment leur intérêt dès que le numéro est disponible dans leur pays.

Après cette phase initiale, nous entrons maintenant dans la phase de mise en service proprement dite des lignes d'appel d'urgence nationales. Les organisations prestataires à qui le numéro 116 000 a été attribué doivent pouvoir traiter adéquatement et gratuitement des appels provenant de tout le pays, à partir d'une ligne fixe ou d'un téléphone mobile, 24 heures sur 24, sept jours sur sept. Cela demande des structures de financement, dans certains cas une réorganisation et des recrutements, des formations adéquates, la connaissance d'autres langues, pour ne citer que quelques-unes des conditions pour que le service soit pleinement opérationnel.

Des initiatives comme la table ronde d'aujourd'hui, dont le but est de promouvoir l'échange de bonnes pratiques, sont donc absolument essentielles pour garantir que le n° 116 000 atteigne toute l'efficacité voulue, dans un maximum d'Etats membres, idéalement dans toute l'Europe.

Cette phase est sans doute plus difficile que la première. Il n'y a plus d'obligation légale qui force à avancer. Mais il y a toute la motivation et la détermination des personnes, des organismes et des institutions à faire aboutir ce projet européen indispensable. Je voudrais à cet égard vous féliciter pour votre grand engagement personnel et professionnel qui vous conduisent à mettre tant d'énergie et toute votre expertise au service de cette cause.

Lorsque tous les détails de mise en service sont réglés, il sera indispensable de faire connaître aussi largement que possible le numéro 116 000 et son but.

Votre projet, que la Commission soutient dans le cadre du programme Daphné, et qui nous réunit aujourd'hui, comprend la définition d'une image commune et le lancement d'une campagne de communication. Il contribuera certainement à atteindre cet objectif.



Je vous remercie pour votre attention et vous souhaite une table ronde fructueuse.

## **The Freedom Security and Justice perspective on 116 000**

Anca Dora Olteanu, European Commission, DG Freedom Security and Justice

Thank you for giving us the opportunity to participate to this discussion concerning the implementation and communication of the European telephone number for missing children. In his quality of Commissioner for Justice, Freedom and Security, Vice-President Barot is putting all efforts into ensuring the protection of children and safeguarding the rights of the child as set in the Commission Communication "Towards an EU strategy on the Rights of the Child."

Within the framework of the protection of children, the Commission adopted this Communication on 4 July 2006 with the aim to establishing a comprehensive EU strategy to promote and safeguard the rights of the child in the European Union's policies and to support Member States' efforts in this field.

The Communication, whose main goal is to underpin the existing legal structure, follows on from other measures taken in the area of violence against children, such as combating trafficking in human beings and sexual exploitation of children, child sex tourism, child pornography, and civil society's contribution to finding missing or sexually exploited children.

The strategy is structured around seven specific objectives, each supported by a series of actions. In its first specific objective "Capitalising on existing activities while addressing urgent needs" it is stated that "In the short term, and especially due to the urgency of certain challenges, the Commission will attribute one single six digit telephone number within the EU child hotlines dedicated to missing and sexually exploited children."

To that end, Decision 2007/116 of 15 February 2007 reserves across the EU the numbering range beginning with '116' for services of social value with 116 000 as the number for hotlines to report missing children.

To date, as explained in detail by my colleague, Member States have attributed the number 116 000 to service providers for hotlines to report missing children or are launching the attribution procedure.

Several European countries have over the last ten years set up emergency call lines in order to speed up searches and support the families of missing children (Belgium: 110, Italy: 114, the UK: 0500700700, Austria: 147, France: 0810012014, Greece: 1056, etc.).

Our children are vulnerable. There are no statistics on the number of missing or abducted children within the European Union, but estimates are disturbing: Each year, 45,000 children are reported missing in France and 140,000 in the UK. In the attempt to find solutions to these problems and in addition to the emergency phone number, experience indicates that a mechanism of assistance in the search for missing children can produce excellent results. This is the instrument known as the "Child Alert" system.

I would, very briefly, like to clarify the differences between the two systems before presenting the Child Alert mechanism:

- 116 and the alert system are not at all linked, 116 is fundamentally different from the rapid alert system.
- 116 is a phone line for children who have disappeared (run away from home or any other reason) and it is a social assistance number.
- The rapid alert system is a mechanism triggered only in exceptional cases by the police or the judicial authorities when it is believed that the life of a child that has been abducted is in danger (we are NOT talking about parental abductions here), and that alerting the public could save the life of the child.
- The alert systems are purely national.
- The goal of the Guidelines is to ensure that there are minimum common denominators that would allow an alert to go beyond the (largely no longer existing) borders of the Member States .
- This would not require anything at EU level, simply the existence of the bare minimum to bring down technical impediments (need to reformat information, lack of contact points, etc).

Several child alert systems exist already in some Member States (the French "Alerte enlèvement" the Greek "Amber alert Hellas"; Belgium, Germany, UK and the Netherlands have established different types of systems with the same purpose). Outside the EU, the US "Amber alert" is another example of such a system.

Following the successful use in these countries of systems alerting the public in cases of child abduction (and/or disappearance) and when children's health or lives may be at serious risk, the Commission has been encouraging all of the Member States to put child alert mechanisms in place nationally.

If all Member States adopt such mechanisms, resolving cross-border cases would be made easier in cases where the abduction or disappearance has happened close to the border with another Member State. This would not require a European mechanism to be superposed to national mechanisms, but simply allows pre-agreed communication schemes to be put in place in order to make the relevant information quickly available across the border.

The notion of an "EU-wide Child Alert" does not imply sending out an alert across the whole territory of the EU. This would be counterproductive, as over time alerts would become ineffective. Based on the experience of the systems currently in place, it is crucial to keep alerts to where it is strictly necessary and to focus on the territory concerned. Alerts should be issued only in specific cases where there is a clear risk for the life of the victim. The disappearance of physical borders across the EU can hamper the success of alert systems if they were to be confined within national boundaries. An "EU-wide" Child Alert system should have the potential to operate in the relevant areas of the EU as required by the situation. This requires interaction between national systems.

The French Presidency has been very active in promoting this system. In the 2<sup>nd</sup> part of 2008 the French Ministry of Justice run 2 simulation of a cross-border abduction alert exercise in the presence of representatives from some Member States (Belgium, Luxembourg, the Netherlands, Spain and Portugal).

During the informal JHA Councils in November 2007 and July 2008, based on the proposal made by the Commission to Member States to consider establishing a warning system for the abduction of children in each Member State based on the French model and the Greek "Amber alert", discussions took place with the aim to implement this system.

This concern is also shared by the European Parliament, which, in a declaration adopted on 2 September 2008, also urged Member States to develop early warning devices and cooperation agreements that would lead to cross-border cooperation and the setting of a National Child Alert in all Member States. For this purpose the European Parliament has created a new budget line for children's rights, in particular to encourage Member States to develop and create their own Child Alert System.

The Commission is strongly encouraging transborder cooperation between Member States in case of a child abduction. The proposed Guidelines for Child Alert have been adopted by the Commission and were the basis for the European Council conclusions of 28 November 2008. They call on the Member States to establish and develop national mechanisms to alert the public of criminal abduction of children, to define the modalities of implementation for a cross-border system and to use the best practices established by the European Commission.

Progress in this area is considered important and will be a priority issue.

### **The NRA perspective on 116 000**

Paul Fischer, Chairman PT HESC within WG NNA/ECC/CEPT

*PowerPoint presentation available upon request. Please contact Missing Children Europe at [secretariat@missingchildreneurope.eu](mailto:secretariat@missingchildreneurope.eu)*

### **The telecom operator perspective on 116 000**

Michael Bartholomew, Director, ETNO

First of all, I would like to thank Missing Children Europe for having invited ETNO today to discuss the implementation of the 116 000 number.

When the new number was created back in 2007, ETNO, as well as all other associations representing e-communications players, committed to do their part to ensure that this number is available as quickly as possible. The assignment of the number and start-up of a national 116 000 service is a complex exercise involving multiple parties.

ETNO fully appreciates that the relevant EU Decisions on 116 000 are sufficiently precise as regards service definition, assignment criteria and implementation conditions.

It is important to remember that the decision to set up the number in a given country does not belong to telecommunications operators and that they are not involved in the first step of the process. Initially, it is up to the NGO to define whether the 116 000 number fits its communications needs and whether there is a return against investment. In a few countries, this went rather well, but we have also noted the influence of internal priorities.

So has the Irish Missing Children Europe member ISPC (The Irish Society for the Prevention of Cruelty to Children) decided to focus on 116111 as a better fit for its mission.

In practice, in a Member State where 116 000 is assigned, the NGO should choose an operator to work with – which is a commercial decision. Then the e-communications provider will act as skilfully as possible according to national rules, commercial relationships and accepted industry processes for such undertaking.

In this respect, it is good to note that 116 000 is the first number of a new number range. In general starting and implementing a complete new number range is different and more laborious than implementing an additional number in an existing range.

However in both situations, this is a routine that is part of operators' everyday task. What makes this new number range different is the policies attached to it

Each Member State disposes of an agreed national set of public and industry operational standards. These standards include certain time delays for implementation, allowing telecommunications operators to build the new facility in their networks.

Exceptionally, special request may be made towards operators: for instance an NGO does not wish to receive calls from mobile phones, for cost reasons, or that a particular NGO is given a regional instead of a national license within a country.

Once an operator receives the "go ahead to build", business as usual procedures are activated. Deviations from national practice can cause delays as several parties may be involved and a one-off decision may be needed.

Let me give you a few examples:

- In some cases traffic costs are borne collectively, such as in France where 116 000 was declared an emergency number similar to 112. As a consequence call costs in France fall to the community of telecommunications operators, meaning to their customers,
- Some operators, such as Belgacom and OTE, support missing children operations financially, in line with their CSR policy. This may include delivering the calls at no cost to either originator or recipient of the call.

ETNO has no formal opinion on the type of approach. We are however convinced that the choice of any of these options should remain a voluntary decision of the company concerned.

As for the progress of 116 000 implementation, we fully appreciate the periodic overviews produced by the Commission for the CoCom meetings, such as the recent overview presented on 26 November 2008.

However, the "implementation" concept as such gives the wrong impression that every aspect is under control. A law is implemented. A service however is provided under commercial conditions and according to competition rules.

116 000 is a multi-faceted service that faces two main challenges for its uptake:

- the NGOs: each NGO will take a decision to use the number or not in light of its own interests and possibilities
- the general public that needs to be constantly reminded of the 116 000 number, which requires a permanent communications effort

Concerning the 116 000 service produced by the NGO behind the number, we still see two long existing and interesting questions that remain open and need to be addressed by the NGOs providing the service:

- How to address the need here and there for a multi-lingual service (assisting traveler and immigrants)?
- Do travelers calling 116 000 while abroad wish to enter in contact with their national NGO and how would that impact the service being offered nationally through the same number?

Both issues are somewhat interlinked and outside the scope of the current policies. They could partly be addressed by the NGO to whom the number is allocated by using existing telecommunications products, including automatic translation, interactive rerouting or third country relay.

As a final point, I would wish to reflect on questions 1 and 2 of the Questionnaire you distributed in preparation of today's meeting.

These questions seek an opinion on extending the scope of services behind 116 000, either directly or via an interconnection with other service providers. Mrs Moralis referred in this regard to situations such as in Belgium, where the 110 (hotline for missing and sexually exploited children) will be replaced by 116 000. This means that the Belgian 116 000 would offer services that go beyond the limited description provided by the EC Decision.

Of course, if the new "service pack" would stay very close to the missing children topic or even seem a natural extension of this mission, we might see few problems. But in general, ETNO would be extremely reluctant to deviate from the EC defined service description. 116 000 was designed for a clear purpose as described in the EC decision.

Any future deviation should be decided through the same channels. Deviations risk confusing the market (creating an overlap with 116 111 or other numbers) or might even go beyond the non-commercial mission of most NGOs.

We should not forget that the 116 000 is the first number in the 116 range. Its implementation throughout Europe is therefore setting the scene for all the following numbers that have been launched or may still be created in the future. It is therefore essential that we get it right

I thank you.

### **The NGO perspective on 116 000**

Eva Kerpel, Kék Vonal

*PowerPoint presentation available upon request. Please contact Missing Children Europe at [secretariat@missingchildreneurope.eu](mailto:secretariat@missingchildreneurope.eu)*

### **The NGO perspective on 116 000**

Kristine Kloeck, Child Focus

Ladies and gentleman,

One of the most distressful things that can happen to any parent is the disappearance of his or her child. Think of it. Your daughter didn't come home after school. When you try to call her, she's not answering her mobile phone. You start making phone-calls. You call the school, you call friends and relatives. Nobody knows where your daughter might be. No one has seen her. Now you're panicking. But what can you do? You contact the local police, but the officer who takes the call doesn't seem to be troubled at all. "After all, she's fifteen", he says, "She's probably with some boyfriend, or she simply decided to accompany friends to the cinema". Deep in your heart, you know that he's wrong. It's not her style to stay away without notice. She simply is not like that. But what can you do?

Many different reasons for disappearances are possible. Children run away, for a day, or for months. Children are abducted or seduced by someone with not the best of intentions. Sometimes, following a divorce, one parent decides to travel abroad with the children without consent of the other parent, often hiding the children. And last but not least, non-accompanied minor refugees travelling through Europe disappear from their shelter in search of a better life, and by doing so they often become an easy target and a victim of trafficking and commercial or sexual exploitation.

One of the first actions undertaken by Child Focus after it was created 11 years ago was the creation of a missing children hotline or emergency number. In Belgium a 3-digit toll-free telephone number -110- can be dialed day and night, seven days a week. There's always someone listening. These hotline-operators have received a thorough training, are experienced and are able to make a quick and correct assessment of any situation, all this during the course of the first telephone conversation. The operators and their colleagues then make sure that the police respond in the proper and effective way. Also afterwards, during the course of the disappearance, they provide useful information and help to the family. As the disappearance case evolves, and if a public appeal is made, be it by poster campaigns or with the help of the mass media, the hotline also receives testimonies of citizens that might help solving the case. For that reason we make sure our hotline is as easily approachable and accessible as possible. We keep telling the number is free of charge and testimonies can be given anonymously. Child Focus closely works with the police in order to make sure every relevant testimony is considered appropriately and handled properly. But we know that each time we have a joint campaign with the police, who have their own general hotline, our 110-hotline receives 5 to 10 times more testimonies than theirs. The average citizen apparently considers the threshold for calling a specialized and civil hotline more easy to overcome than for calling the police.

During the first ten years of its existence, the Belgian hotline number was called over 350.000 times. As a result, 12.000 files of missing children were opened and handled. It is good to know that not only parents call for reporting a missing child, but that more and more also law enforcement is calling the hotline. In fact, we developed a close collaboration – on a permanent basis – with law enforcement and the justice department, countless charities and social organisations, the educational sector, the foreign affairs department and even with the media. Indisputably, this public-private collaboration, written down in strong protocol agreements, results in tackling the issue of missing children in a far better, more efficient way than before. And at the heart of this collaboration was always the 24/7 hotline. Not so long ago we had an example of extremely fruitful *international* collaboration. Together with our Portuguese friends of the Instituto de Apoio à Criança in Lisbon, Child Focus was able to make an (happy) end to a very worrying international parental abduction. A divorced father abducted his three daughters of seven, ten and fourteen years of age, and managed to hide them for a period of nine and a half months, *somewhere in Europe*. Because they traveled around in a small camper, and because we knew the father forced the children to beg on the streets, we knew that they were living in very poor and dangerous conditions.

A few weeks after their disappearance it became clear that the regular police inquiry in Belgium would be not sufficient, and along with the public prosecutor we decided to make the case public, in order to ask the citizens for

help. The Belgian and Dutch press and TV helped a lot – but unfortunately still without results. A few weeks later we were pretty sure the children were not in Belgium anymore, and in April and May, we provided dozens of partner organisations in European countries with all necessary information, including a video reel we posted on YouTube.

This quickly generated a first result. An alert Portuguese police officer remembered an incident, and he informed the Portuguese hotline about it. He told that the father had been identified already in March, begging in the streets, but that he was set free again because of erroneous information in the police registers (Sirene). From that moment on, we intensified our communication efforts during the summer, focusing on Portugal. As a result of that, on a Monday evening in September, the Portuguese public television opened its evening news with the appeal for help, using the video footage we posted on YouTube, and ending with the 116 000. Minutes after the broadcast, a 63 year old Portuguese man walked into the police station next to his house, and told he knew where the children stayed. Two hours later, the father was arrested, and the children were brought in a safe place. The next day the girls were reunited with their mother, grandmother, family and friends. It was a moment of great joy and satisfaction for all of us.

It is very interesting to know that the Portuguese news broadcast that led to the testimony and the successful outcome concluded by showing the hotline-number 116 000 screen-wide, already operational in Portugal. This experience shows us that the implementation of this 116 000 hotline number in many if not all European countries, and even beyond, will make international collaboration easier and more effective. We will better communicate and will be able to act in a more co-ordinated way.

The implicit goal of the EC-decision to reserve the number 116 000 for missing children hotlines is to finally create a similar hotline everywhere in Europe. By doing so, the issue of disappearance of minors will be tackled more effectively and efficiently everywhere. It will help in an operational way: we won't have to wonder which number to communicate in case of cross-border campaigns, or using the internet. And when it will finally be the same number everywhere, it will become a lot easier to sensitize and inform citizens and politicians throughout Europe.

We are very thankful to the European Commission for the decision, and for the continuous support. We also thank Missing Children Europe for all the hard work, before and after the commission's decision, and the good advice we're getting. The implementation however is and will be a huge task for many people. We already discovered that on a technical level, things aren't always as simple as they may seem at first. It often takes a long time to get the necessary steps taken by the national telecom regulators and providers. We need the support from each and every one of them. I'll share some of our experiences.

In Belgium, we thank the Belgian regulatory agency IBPT and leading telecom operator Belgacom for all their support. The commission's decision reserving the national numbering range beginning with 116 for harmonised services of social value was issued on the 15<sup>th</sup> of February 2007. In annex was the list of reserved numbers, at that time limited to one single number 116 000 for hotlines for missing children. The Belgian regulatory agency organised the consultation towards possible Belgian actors, without delay, from the 2<sup>nd</sup> of April until the 20<sup>th</sup> of May 2007. The information provided by the IBPT was very clear and Child Focus experienced no difficulties introducing the demand. On the 18<sup>th</sup> of July 2007 the IBPT communicated its decision to reserve the number for Child Focus. We accordingly asked Belgacom, our telecom partner, to redirect the number to our existing hotline connection.

Maybe we were a bit naïve, but we foresaw no problems at all, until Belgacom communicated that, unlike for our existing emergency number 110, which is –on a legal basis- free of charge, there would be costs connected to the use of the new number. The outcome of the sometimes painstaking negotiations that followed was that at least the interconnection-costs, linked to the transfer of the telephone communications between operators, would be for our charge, since this is an out-of-pocket cost for Belgacom itself. Because of the fact that Child Focus receives tens of thousands of calls each year, these interconnection costs for would quickly become considerable, certainly more than 10.000 euro each year.

The only way to avoid that was ask the political authorities to decide to make 116 000 an emergency number, with the technical and pricing conditions as attributed to (for example) the medical or law enforcement emergency numbers. On the 23<sup>th</sup> of May 2008 we asked the competent Economy Minister to recognize 116 000 as an emergency number, so making it a toll-free number, without any cost, not for the caller, nor for the receiver, nor amongst providers when calls are transferred from one provider to another. Asked by the Minister, the IBPT advised positively on the 23<sup>th</sup> of July and on the 29<sup>th</sup> of August the Minister declared in Parliament that the law would be changed accordingly. Not only the telecom-law itself had to be changed, the decision also needed to be formalized in a Royal Decree. This needed the approval of the Minister responsible for the Budget –this approval was given on the 28<sup>th</sup> of October 2008-, and a final 'go' from the Council of State (= Raad van State, a legal body that checks that all legislation is in line with the constitution). Yesterday, we learned that the Council of State did not make any fundamental remarks, so we are impatiently waiting now for the final step: the signature of the Minister, and the publication of the Royal Decree.

Immediately after publication, we will notify Belgacom and 116.000 will go live in Belgium within weeks – this is what we hope for. We also foresee no problems regarding to the fact that we did not respect the official deadline for the number to be effective (the 31<sup>th</sup> of August 2008), because all parties including IBPT were informed of all steps we undertook, and agreed with them.

We insisted very hard on the need to make the hotline free of charge, to the caller and to the receiver, we even were prepared to take the time to engage in negotiations and even to strive for a change of law, because we know for a fact that only in such conditions a hotline can really develop into a performing instrument in order to help as much as possible children and their parents in need. It is true that where the number is introduced, the first years it will be used rather moderately, and the costs would not be so very important. But as the number gains notoriety, like our 110 has gained in Belgium, it will be used thousands of times yearly, and in bigger countries even hundreds of thousands of times. If the costs relating to the number would go up as well, this would seriously limit the desire and capacity for the 116 000-owners to promote it.

When the 116 000 will have gained its credentials and when it will be top-of-mind to the general public for reporting missing children, a very important part of the callers will not be a resident to the country itself. As borders in Europe disappear, tourism and mobility increases and more people will be working in another country, we will unavoidably be confronted with language problems. By now, we promote the requirement that the professional or voluntary people manning the hotline should speak the languages of the country itself, plus English, but in the future this will not be enough. We will all together have to be inventive and creative to come up with solutions for this problem. Certainly, technology will help us, but mutual collaboration will be essential.

By now, the most important and urgent issue is the communication strategy that is necessary to let the European citizens know that this European number exists, and to ensure people that these hotlines will provide qualitative services in every concerned country. For that, Missing Children Europe is working hard to quickly create a concise, recognizable and practical logotype, along with the basic communication guidelines, including a set of clear and strong messages. This is indispensable for all of us, not only for the communication with our own populations, but also when -in the future- cross-border cases need common action between two or more organisations.

To conclude, I believe we all must put pressure on our own governments to facilitate and support in every possible way the 116 000 hotlines. We must call upon and implicate all possible public and private partners. It will dramatically enhance the way the different phenomena of disappearance of children are handled throughout Europe.

Thank you

## **Presentation of the first findings and best practices**

Delphine Moralis, Deputy Secretary General, Missing Children Europe

PowerPoint presentation available upon request. Please contact Missing Children Europe at [secretariat@missingchildreneurope.eu](mailto:secretariat@missingchildreneurope.eu)

### Key issues presented:

#### **1. Implementation process**

##### *1.1 Facts*

- A. The NGOs, NRAs & operators evaluate the process differently:
- o The majority of the NGOs express that they encountered medium to severe difficulties in the course of the process (9 out of 10)
  - o The majority of the NRAs did not experience difficulties in reserving the number, but either experienced challenges in appointing the right organisation or report difficulties in the operational implementation of the process
  - o The majority of the operators refer to "business as usual."
- A. Timing from reservation to operational implementation varies from 6 months to 2 years
- B. Actors involved in the process include NGO, NRAs, Operators, Ministries of Interior/Social Affairs/Industry/Transportation/Administration/...
- C. Three different sets of challenges seem to occur in the steps to be undertaken before the operational launch of the service:
- o Difficulties in terms of communication and cooperation between the different stakeholders involved (who is who, how do we communicate), ...
  - o Communication to the wider public (handled in the second phase of the MCE Daphne project)
  - o Difficulties in price negotiations (treated as a specific issue for discussion)

##### *1.2 Issues*



#### A. Communication between different stakeholders in view of operational implementation of the service

- Difficulties NGOs;
- Insufficient timing for the NGO to network with the operators
- Processes are very bureaucratic
- Some NRAs are reluctant to do anything further on an institutional level
- Difficult for the NGOs to raise the interest of the telecom operators to partner (especially in the two step approach) in the application for the number.
- Process of interconnection is long – NGO is unable to interfere as this is in hand of the operators
- The NGO is sometimes bound to undertake discussions with all the individual operators
- In the negotiations with the telecom operators, the NGOs feel a lack of technical expertise, putting them in a weak position for negotiation.
- Steps to be undertaken are unclear
- NGOs have to take a very proactive attitude towards the NRA, operators and where relevant Ministries who have little interest in advancing the process.
  
- Difficulties Operator & NRAs;
- (in two step process): which content provider should get right for using 116 000? Should this be an exclusive right?
  
- Best Practices:
- Joint applications
  
- Recommendations:
- Involve the operator selected for the implementation of the number in a very early stage

#### B. Communicating to the wider public (will constitute 2nd phase of MCE project)

- Issue:
- What with the old number?
- Link between the existing emergency numbers and 116 000?
  
- Best Practice:
- announcing the new number when a member of the public calls the old number;

#### 1.3 Discussion topics

#### A. General feeling of lack of information on (i) the object of 116 000 hotline service, (2) the procedures for implementation:

- o Need for the Commission to develop guidelines?

#### B. Choice between one step and two steps:

- o Pros and cons of each
- o If one step : assistance to content provider ( from whom ? see IRL : NRA offers assistance as needed in practical matters
- o "Form of one step" : UK : joint allocation to operator/single or multiple content provider partnership
- o Intermediate solutions : joint application
- o UK: two steps: 1) does the service provider offer a service that corresponds to the description? 2) What is his business case?

#### C. Multiplicity of applicants:

- o Choice (how ?) ;
- o Need for advisory committees,
- o Appoint advisor(s), familiar with both regulatory and telecom aspects and with service aspects to assist NRAs in making choice. Whose responsibility : EU or national ( preferably national : taking into account of national specificities)
- o Need for evaluation grid
- o Certification of the capacity of the service providers, issued by recognised authority. Assistance by relevant Govt departments ?

#### D. How does 116 000 function if there are several content providers?

- o Should there be a partnership? (UK)



E. Parallel use of emergency numbers : is the call redirected, is info given on the 116 000 assistance

## 2. Pricing

### 2.1 Facts

- Recital 3 of the EC Decision states that the 116 services should be "freephone" numbers.
- The number is free to the caller, independent of the originating network in:
  - o UK
  - o Greece
  - o Hungary
  - o France
  - o IAC
  - o Belgium
  - o Poland
  - o Denmark (?)
  - o Romania (?)
  - o Ireland (?)
- The number is listed as an emergency number in :
  - o France
  - o Belgium
- The costs of the calls are fully or partially covered by the operators in :
  - o Greece
  - o Hungary (partially)
  - o Portugal
- The costs of the calls are fully or partially (to be) covered by the NGO in :
  - o UK (?)
  - o Hungary
  - o Ireland (?)
  - o Romania
  - o Denmark
  - o Poland

### 2.2 Issues

#### A. Difficulties

- Reported by NGOs:
- Funding the costs of the service:
  - a. Costs of the *calls*:
    - i. In some countries the service offered before the entering into force of 116 000 was paid by the caller. While offering the service now requests an important financial investment, no additional funds are made available by the competent authorities.
    - ii. Where the organisation is expected to cover the costs of the calls, NGOs state that this is not realistic, and that they will only be able to operate 116 000 if specific funds are made available.
  - b. Costs of *running* the service
    - i. 24h availability (staffing)
    - ii. Language issues
- Reported by Operators
  - Finding a favourable pricing which could be carried by the content provider.

#### B. Best practices:

- NGOs
  - o Providing operators that support the NGO with clear and transparent information, including data on the number of calls received, children helped etc.
  - o Cooperation with other established agencies for the nightshift (other hotlines taking over the calls and informing the staff member of the 116 000 organisation on duty of any incoming issues)
- Operators

- o Vodafone does not charge for the interconnection of calls originating from their network
- o Magyar Telekom offers the lowest possible pricing (according to legal limits) and support the NGO with a donation on an annual basis
- NRAs
  - o Distinguishing between freephone (charging allowed provided that this is announced) and free to the caller (no charging) depending on the social need met by the service – 116 000 classified as a service of ‘extreme social need’ (UK)
- Authorities:
  - o 116 000 as an emergency number

### C. Recommendation

- Support should be offered by authorities
- The European Commission to consider the issue of sponsorship if the costs to the content provider (e.g. whether met from some form of centralized funds, whether maximum wholesale charges should be laid down, or other)
- The service should be subsidized by the government (PT)
- Support should be offered by operators
- Operators to agree on a reduced cost for termination (Ofcom)
- Operators to work together in view of a favourable pricing (Magyar Telekom)
- Other
- Using low cost communication systems (VoIP, etc) combined with subsidies from the government for the operational costs.
- NGOs to ask several national operators for their best offer in order for the calls to be as low as possible (recommendation from BIPT)
- 

### 2.3 Discussion Topics

#### A. Implications of one step or two step procedure in price negotiation:

- obtaining most favourable pricing
- does it have an impact on cost structure ?

#### B. Free to the caller

- Difference between green numbers and emergency numbers
- Are “green numbers” a valuable solution?
  - o “Negative perception” (“business or corporate image”)
  - o Expensive : charged at a higher rate than the rate charged to business or private persons
- Can “Emergency numbers” be given to NGOs?
- Is 116 000 not a separate case from most other 116 000 numbers : distinction on basis of the level of social need or value met by the service ( e.g. 116 000, -111 and -123 are classified as services of “extreme social need” ( see OFCOM questionnaire)

#### C. What in case of dispute or non agreement on price conditions?

- Can NRA intervene

#### D. The issue of Roaming. Does it have to be paid by the caller?

#### E. The cost of the 116 000 service:

- Translation ?
- 24/24 : labor regulations on overtime ?

#### F. If the cost is to be supported by the service provider, i.e. the NGO, should it not be financially supported?

- By the national authorities ?
- By the EU ?
- By the Telecom sector ( cf. Hungarian example : corporate social responsibility)
- Best practices for raising money: introduce subvention schemes in telecom directives?
- Or reduce cost by controlling wholesale prices for this type of extreme need services ( EU)

### 3. Service description

#### 3.1 Facts

- In practice, while all operating/assigned 116 000 hotlines offer the service described by the EC Decision, the service definitions vary from country to country as most of the services go beyond what the Decision requests.
  - a. The majority of the NGOs strongly support the Description being seen as a 'minimum description.'
  - b. All the NRAs support the Description being seen as a 'minimum description.'
  - c. Two of the 4 operators disagree with the Description being seen as a 'minimum description.'

### 3.2 Issues

#### A. Difficulties

- NRAs

How to assess which organisation is best placed to operate the service?

- NGOs

For some organisations, the conditions for the service (24h availability) are difficult to fulfill – the authorities which support the organisations financially are reluctant to provide for the necessary additional funding for the service to run on a 24h basis

#### B. Best practices:

- NRAs:
  - NRA to ask support / assessment from the Ministry of Internal Affairs
  - NRA to develop an evaluation grid
  - NRA to ask Government to set up an advisory committee comprising expert knowledge of helpline services to assess applications

### 3.3 Discussion Topics

#### A. The notion of "service with social value"

- There seems to be a difference in perception of the importance and social value of 116 000: NGOs and NRAs acknowledge specific importance of 116 000. Telecom sector seems less convinced (see: Hu: difficult to get the attention of telecom partners in introducing the number and negotiating the prices).
- Specificity of 116 000:
  - o Does it justify a status as emergency number?
  - o UK : distinguish among 116 numbers: services of "extreme social need"

#### B. The need for more detailed criteria and a more detailed service description

- How ?
  - o In the annex to the decision (cumbersome procedure) or in (formal or informal) "guidelines"?
  - o Is there a need for guidance by the Commission on which type of organisations should be service providers

#### C. The content of the services description

- o Differences with regard to contacts with the police
- o "Service continuously available"
  - Involving other organisations for nightwork relay?
  - Leaving a message ?
  - Impact of legislation on working time (cost)
  - Need for backup systems ( UK)

#### D. Exhaustive or minimum?

- Clear majority of NGOs and NRAs favourable to "minimum approach". Telecom sector more reluctant
- Clarify : types of services (i) required, (ii) possible
  - o Support to the missing person should be added ( if description is exhaustive)

#### E. Staffing

- o Professionals or volunteers or combination (Hu : trained volunteers but trained professional for night shifts)

#### F. Cooperation with other helplines and hotlines?

- o UK : hub for other runaway helplines

## **Annex 3: Letter addressed to Commissioners Reding and Barrot**

To: Vivian Reding, Commissioner for Information Society and Media  
Jacques Barrot, Commissioner for Freedom, Security and Justice

Cc: Bernd Langeheine, DG Information Society and Media  
Isabelle Vandoorne, DG Information Society and Media

Re: Launch of campaign & roaming problem 116 000

Dear Commissioner,

With this letter and on behalf of our member organisations, we would like to inform you of the progress made in view of the launch of a European campaign for 116 000, while also drawing your attention to a critical difficulty related to the roaming of the number.

### 1. Launch of a European Campaign for 116 000

As you may know, Missing Children Europe currently benefits from an action grant under the EC Daphne Programme (DG JLS) for the coordination of a project entitled "Implementing and communication about 116 000, the European telephone number for missing children". The aim of the project is twofold:

- 1) to raise awareness and understanding (and as such facilitate both the implementation and the practical realisation) of Commission Decision 2007/116/EC among stakeholders from several EU Member States;
- 2) to increase awareness by launching a European campaign on 116 000.

The campaign (second objective of the project) will be launched in the different EU Member States where the number is operational on International Missing Children's Day (25 May 2009). Posters, leaflets, bracelets, stickers and even a "116 000 -tune" are currently being finalised, and will be disseminated at national level in all the countries where a member of MCE operates the 116 000 hotline.<sup>71</sup> From 25 May onwards, national organisations operating 116 000 will use one and the same logo across Europe. Each of the members involved will organise a press conference on International Missing Children's Day, to bring one and the same message to both the public and the authorities. At European level and with your support, we hope to have the opportunity to launch the campaign jointly with the Commission, on the occasion of the midday briefing of 25 May.

We are convinced that this campaign will be yet another step towards realising the potential of the hotline, as parents and children will be increasingly informed of the service offered across Europe through the number, thus more easily finding their way to much needed assistance.

### 2. Specific difficulties related to the roaming of the number

While the number is currently operational in 7 EU Member States (Hungary, Greece, Romania, the Netherlands, Portugal, Slovakia and Belgium), our member organisations recently informed us of a very worrying problem.

As clearly outlined in the recitals Commission Decision 2007/116/EC, it is desirable for citizens of the Member States, including travelers, to be able to reach certain services that have a social value by using the same recognizable numbers in all Member States. This is particularly relevant for the service offered by NGOs dealing with missing children, as disappearances during holidays abroad occur. The problem of child disappearance is not limited within national borders, and tools to deal with the -- in average 20% -- cross-border cases handled by our member NGOs may be life saving. Unfortunately, citizens travelling to the 7 EU Member States where the number is already operational, do not have the possibility to use their mobile connections to reach the service. While interconnection agreements have been concluded between operators at national level, calling a 116 000 hotline from a foreign mobile connection is currently not possible. Parents faced with the -in some cases life threatening- disappearance of their child abroad, will have to look for a fixed line to report the problem. As we know that immediately reporting the disappearance to the competent service may be of critical importance in finding a child alive after abduction, putting this extra burden on worried parents is unacceptable.

The nature of this problem, according to our members, is not technical. Telecom companies partnering with our member NGOs have no problem with trying to secure interconnection and roaming for the number, as long someone

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<sup>71</sup> Each of the currently operational 116 000 hotlines is assigned to a member of Missing Children Europe, except in the Netherlands where Missing Children Europe does not yet have a member. The Dutch organisation operating 116 000 has however been invited to participate in the project mentioned in this letter.

pays for it. The problem is indeed the lack of clarity regarding the financing of the costs of the call, in particular when the caller is travelling outside the geographical coverage area of the home network, and reaching the local 116 000 by using a visited network, which clearly will always be the case of holidaying parents abroad...

While we understand that, thanks to the agreement sealed on 24 March, prices of mobile phone calls made between EU countries will be further lowered as of July this year, the roaming costs in the framework of 116 000 remain problematic. In general, the Commission Decision outlines that 116 lines should follow the freephone model, no indication is given on who should cover the costs of the call. Supporting the costs of the calls to the 116 000 hotline is already a tremendous challenge for NGOs.<sup>72</sup> It is a fortiori an issue for calls routed from an international connection, because of the extra cost related to roaming.

As this problem bears the risk of defeating the purpose of European harmonised telephone number, as the response will have to be defined at European level and in view of the campaign launch of 25 May, we call upon your support to take necessary actions for this problem to be addressed.

Both Missing Children Europe and its members remain dedicated and committed to developing 116 000 to a full operational network. We are at your disposal for further discussion on this issue.

Looking forward to your response,

Yours sincerely,



Delphine Moralis  
Deputy Secretary General  
Missing Children Europe  
Europe



Francis Herbert  
Secretary General  
Missing Children

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<sup>72</sup> NGOs have limited resources and are in most cases not able to cover the costs of the call. They are thus forced to enter into very tedious negotiations with telecom operators and regulators, to find solutions to this challenge. Pricing issues and the lack of funds to cover the costs of the calls are among the main obstacles reported by NGOs wishing to operate the service.

## **Annex 4: Service Description Missing Children Europe:**

The hotline for missing children:

- Takes calls (request for information, request for intervention, testimonies, ...) from the general public, families/carer and police reporting missing children. Missing children include: runaways, unaccompanied missing migrant children, parental abductions, abduction by third party, undefined disappearances, etc.
- Redirects calls beyond its competencies to other services when applicable
- Offers guidance to the relatives/adults responsible for the missing child throughout reporting to and dealing with the Police and other authorities
- Liaises with the foreign partners (NGOs) in cross-border cases

In the case of worrying disappearances, the service offers pro-active support:

- To the victims: crisis intervention, operational action on the field, relay of information concerning the investigation, accompaniment, advice and follow-up, orientation towards specialised victim support services (for counselling of the victims)
- To the investigation: encouragement of the investigation, collaboration with police services, justice authorities and foreign affairs, transfer of information and testimonies to the official authorities, co-operation with NGOs across Europe.

*Specific conditions to which the organisation must adhere to:*

- Officially registered organisation
- Transparency of organisational structure, activities and management (annual financial audits and reports by qualified chartered accountants; annual reports on activities etc.)
- Mission statement that lists the activities of the organisation related to missing and/or sexually exploited children and includes the right of the children as defined by UN CRC
- Secure and audited funds for operation
- Professional and trained staff (social workers, psychologists, criminologists, ...) and/or trained volunteers, working according to clear operational guidelines
- 24 hour, toll-free, nationally available telephone number
- Written agreement of co-operation with the police and other authorities
- Extensive co-operation with domestic (i.e. helplines, social services, ...) and international services and organisations (NGO network, ...) when dealing with cross border cases
- Data management according to European legislation

## **Annex 5: Illustration of number of calls received on 116 000 hotlines and related costs**

The number of calls received on these hotlines varies from country to country.

### A. **Belgium** ([www.childfocus.org](http://www.childfocus.org))

In Belgium, the NGO Child Focus receives an average of 9587 calls a months, which last in average 1,20 minutes including blanco / lost calls.

Recognised as an emergency number in Belgium, the average annual cost of the calls to 116 000 is estimated by the telecom operator Belgacom at 150.000€.

### B. **Italy** ([www.azzurro.it](http://www.azzurro.it))

In Italy, the NGO Telefono Azzurro reports a total number of 2774 received calls since the launch of the service on 25 May 2009.

Table 1 - Monthly Calls

Month	Calls	%
May*	84	3%
June	638	23%
July	864	31%
August	502	18%
September	491	18%
October**	195	7%
Total	<b>2774</b>	100%

\* From May 25  
\*\*To October 15

These 2774 calls include:

- Silent Calls
- Wrong number
- Information
- Journalists
- Tests
- Non relevant calls
- Inappropriate Calls
- Missing Children Cases

In order to show how long these calls are we have to distinguish the total of the calls from the missing children cases and the other received calls.

- The average duration of a received call is about 10 seconds.
- The average duration of a case of missing children call is about 20 minutes.

In Italy, there is a regulation that allows the non profit organizations to be direct grantees of the social numbers. The NRA gives these numbers to the competent Ministry that requires them. In this case, the competent Ministry is the Minister of the Interior qualified in missing children matters. Telefono Azzurro, charged by the Italian State, rules the 116000 service. For this reason, the costs of the phone calls are in charge of the Ministry. Telefono Azzurro consequently does not have an overview of the cost of the calls.

### C. **Hungary** ([www.Kék-vonal.hu](http://www.Kék-vonal.hu))

In Hungary, the NGO Kék Vonal reports following averages for the hotline:



Month	Number of calls initiated	Number of calls consulted	Average length of calls (min) <sup>73</sup>
2009 January	20 167	711	4,00
2009 February	18 090	689	0,88
2009 March	19 502	972	1,22
2009 April	20 057	1467	0,89
2009 May	23 708	1167	1,36
2009 June	20 101	1123	1,19
2009 July	21 584	1487	1,17
2009 August	20 899	1438	0,60
2009 September	18 769	1318	0,85

Month	Number of Calls	Average length of call (minute)	Total call time (minute)	Total cost (HUF) <sup>74</sup>
2009 January	711	0,8704	618,8544	15471,36
2009 February	689	0,8834	608,6626	15216,56
2009 March	972	1,2186	1184,4792	29611,98
2009 April	1467	0,8927	1309,5909	2619,18
2009 May	1167	1,3559	1582,3353	39558,38
2009 June	1123	1,1850	1330,7550	33268,88
2009 July	1487	1,1718	1742,4666	43561,67
2009 August	1438	0,5977	859,4926	21487,32
2009 September	1318	0,8469	1116,2142	27905,36

The average cost /minute is around 25 HUF, i.e. 0,095€. This is an estimate, not considering the time of the call and the network the call was initiated from. The actual cost of a call will depend on these.

#### D. **Poland** ([www.zaginieni.pl](http://www.zaginieni.pl))

In Poland, the NGO Itaka reports following averages for the hotline:

Month	Number of calls (h)	total time of calls/monthly (min)	Average time of calls
2009. 03	1226	40,33	3,95
2009. 04	914	20,28	2,43
2009. 05	768	23,07	3,56
2009. 06	908	26,48	4,40
2009. 07	371	21,30	6,52
2009. 08	306	21,25	7,46
2009. 09	217	10,25	5,80
Average	673	23,28	4,87

#### E. **Romania** ([www.copiidisparuti.ro](http://www.copiidisparuti.ro))

In Romania, the NGO Focus reported following data:

- total number of calls received between 25th of May and 20th of October 2009 is 17.326;
- out of this total number of calls, we had: 8 calls with a duration between 0-0,01 seconds (non-valid), 14.009 calls between 0,01-60 seconds, 3.268 calls between 60-3600 seconds and 41 calls with more than 3600 seconds;
- it should be added that we had a **significant increase in the number of calls (and cases/files) since the launching of 116000 and the awareness campaigns for this number**; for example we had during March 2009 - 175 calls, in April 2009 198 calls while in May 2009 (even if the number was launched in the second part of the month) we had 1646 calls! and the trend is the same since then - with around 1500 calls per month.
- as for the costs, we have around 680 euro per month communication costs on both call-center and case management. This cost includes monthly subscription for both the green number and the "usual" number that

<sup>73</sup> Calls consulted: Initiated by the caller a consultation started that was possibly followed by intervention

Calls initiated: all calls initiated to reach 116 000

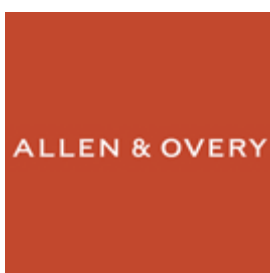
<sup>74</sup> 1 HUF = 0.00378468 EUR

technically support the green one, caller ID subscription for each line in the call center, plus the actual cost of the calls - all these would be around 150-200 euro each month paid to the telecom operator that have the license for 116000 and is working in partnership with us. Apart from this, we have two separate subscriptions to other two telecom operators for mobile phones and internet (the best possible as costs on the Romanian market) because we have on duty case managers that should be permanently available and the costs are lower if you call in the same network (so we use the mobiles to call on mobiles); last but not least we intensively use the internet in our daily work with the police for exchanging information, photos of the missing children, supporting the parents, sending posters to be printed by volunteers in their locations etc.

It is very important to underline that the **communication costs for 116000 are not only those directly related to the calls, as the parent or the police officer asking for our support is waiting for something to happened and this is possible only with communication costs** (and other costs of course, but communication was the subject you raised).

# ACKNOWLEDGEMENTS

Missing Children Europe wishes to thank all those without whom this report would not have been realised, including the European Commission, Daphne Programme, Allen and Overy and its members.



Missing Children Europe is the European Federation for Missing and Sexually Exploited Children. As an umbrella organisation, it represents 23 Non Governmental Organisations (NGOs) active in 16 Member States of the European Union. Each of these organisations is active in cases of missing and/or sexually exploited children at grassroots level, including prevention and support for victims.

For more information, please visit our website at [www.missingchildreneurope.eu](http://www.missingchildreneurope.eu).