

Remarks at IDM panel on

Saving lives and protecting migrants in vulnerable situations

Can you tell us more about how deaths and disappearances in the context of migration pose unique challenges and how GCM objective 8 can help to address these?

1. Scope

- **In terms of numbers** : 47,000 undercount
- People who have gone missing but are alive: detention, separated en route, in hiding, stuck in conflict zone, unaccompanied children.
- **In terms of geography** and the states that should be concerned:
Not limited to death at sea. People die or go missing all along migratory routes.
Not only in the Med, but also the **Sahel**, the jungle of the **Darien Gap** in the Americas and many other places. Migrants also go missing in **countries of destination** after they have arrived. Moreover, affected families are often, not always, in **countries of origin**. So they are concerned, too. Both in terms helping the affected families **and** in terms of recording disappearance because it is often the family that triggers the search when they can no longer communicate with a relative.

2. Invisibility

- We all know that the less visible something is, the less we may feel compelled to do about it. That is a problem for the missing migrant issue.
- **Because so much of irregular migration is clandestine** it happens out of view
- That is a problem at the level of **prevention**: there are for example **migratory policies**, e.g. **push-backs** that directly **contribute to people going missing** or dying. The less publicity these receive the easier they are to sustain.
- And that is **emblematic of the broader issue of rights and protection**. It is important to reiterate that even though much of irregular migration takes place **out of sight**, this does not mean it occurs in **legal vacuum**. Migrants, like anyone else, are protected by international law, including international human rights law, and states have corresponding obligations, including as regards search and rescue, the prohibition of enforced disappearance and many other rules and standards.

3. The impact on families

- You mentioned the experience of ambiguous loss. That refers to the terrible state of limbo that all families of missing persons experience who live with the uncertainty of not knowing what happened to their loved one.

- There is also the **economic impact**, it is often the expected breadwinner that goes missing. The **legal impact** of property rights and guardianship, even stigma of a failed migratory project.
- **Where families are themselves migrants**, their integration into host countries may be affected, because such families tend to invest everything into searching for their missing relative.
- And **how do you search** if your relative has gone missing thousands of miles away on a different continent?

4. And that leads me to the last challenge: **the complexity of the response**

- Lets look at the search process. **You need to know who is missing**. For this **families and others need to be able register cases** in countries of origin, transit, or destination. That includes basic data on the sought person, their physical appearance, the migration route taken, the circumstances of disappearance, and anything else that could help their location and identification. **On the other hand, you need information on unidentified human remains**, on people who died in an incident, or persons who are alive but unable to reestablish contact with their families. It's comparing and matching these two types of information that ultimately resolves a case.
- Start t the **national level**, ensure that the unidentified **human remains are recorded, managed** in a dignified manner. That **information on missing persons is recorded and that both are centralised**.
- Then of course **it needs to be shared transnationally** along a migratory route. That means harmonizing information collection so it can be compared. And it means that **mechanisms** need to be put in place that allow countries of origin, transit and destination to **cooperate with families and relevant stakeholders to exchange information and coordinate the search along a route**.
- Finally, there is the need to **protect data**. The migratory context is highly sensitive. Families may not provide information on missing persons if it ends up being used for immigration control and other purposes. The exclusive use of data for humanitarian search purposes therefore needs to be assured.
- Is all this complicated. yes. Can it be done. absolutely... and there is growing number of examples that show how.

Now Objective 8, a part of the GCM that the ICRC went to great length to urge states to include is in many respects the most comprehensive international commitment on this issue. And therefore it is precious. Unfortunately, over the past three years, its implementation has fallen short of what we hoped for. The reasons for this certainly include some of the issues just mentioned such invisibility, misperceptions of the scope and perhaps also a lack of know how on what to do.

So the goal has to be to move from a global commitment to tangible action along migratory routes. There is a role to play here for regional actors, regional migration dialogues and conferences, and many others. And we hope that the IMRF will give real impetus to that.

Can you tell us about the guidance on missing migrants that the ICRC has developed with civil society actors?

As I just mentioned there is a growing number of examples that show how missing migrants can be searched, how regional cooperation can be effective and how the needs of affected families can be addressed.

Let me give you a few very short examples. You may remember two tragic incidents in Europe, a truck that was found in **Austria in 2015 with more than 70 dead** and a boat that sank in the English **Channel in November** of last year and caused 28 deaths. In both cases, with two exceptions, every single person was identified within a matter of weeks.

In **Tunisia** authorities are identifying victims of shipwrecks, in many cases with the help of information received from authorities in **Ivory Coast. South Africa and Zimbabwe** have created a cross border committee to help identify missing migrants from Zimbabwe. *In both cases, the ICRC has helped establish the bilateral cooperation and strengthen in-country forensic capacity as required.*

In Central America, the **Proyecto Frontera**, a joint project of civil society and government authorities in several countries including **El Salvador, Honduras and Guatemala** has created a networked system of databases that contains thousands of DNA profiles of families looking for loved ones and has led to the identification and return to their families of the remains of 250 missing migrants from the United States and Mexico.

Also in the Americas, the 11 Member states of the **Regional Conference on Migration** are in the final phase of adoption of a set of recommendations on information exchange and cooperation in the search for missing migrants.

So, over the past three years we have worked with practitioners, experts and families of missing migrants around the world - and that includes the IOM MMP - to look at these and other practices and draw lessons and best practices. The result is three guidance documents (the links should appear in the chat), which are of direct relevance for Objective 8.

The first is a set of guidelines on the creation of search mechanisms along migration routes. This starts with requirements at the national level and then sets out prerequisites for transnational cooperation following a multi-stakeholder model.

The second is a set of guiding principles on interaction with families of missing migrants who face very specific challenges in the migratory context and who are absolutely central to any search effort.

And the third is a core data set for the search that is intended to help set up and harmonize data collection efforts along a route.

These documents are part of a much broader effort that we are undertaking to mobilize states and others to cooperate on missing migrants and to provide technical advice and capacities such as specialized databases.