

**SPEECH BY AMBASSADOR THOMAS MILLER, ICMP CHAIRMAN**

**CONFERENCE**  
**THE MISSING: AN AGENDA FOR THE FUTURE**

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Your Majesty, Your Excellencies, Honored Guests, Ladies and Gentleman,

My name is Tom Miller and as the Chairman of the International Commission on Missing Persons and on behalf of my fellow Commissioners it is my honor to welcome you to this international conference, THE MISSING: AN AGENDA FOR THE FUTURE.

I would like to start by thanking the Mayor of the City of The Hague for making it possible to meet here in the Peace Palace. It is such a symbolic location and stands as a testament to and symbol of this city's and this country's commitment to peace and justice.

In our opinion, addressing the issue of missing persons, regardless of the circumstances under which they go missing, is about ensuring peace and justice in the world. The Minister of Foreign Affairs of The Netherlands shares this perspective and it is for this reason that ICMP hopes to join similar organizations and establish its permanent headquarters here.

I would like to welcome all of you. You form an exceptional, prominent and diverse group from around the world, who have worked on the missing persons issue itself or on vital related issues. This gathering includes policy makers, victim and survivor groups, journalists, representatives of international organizations and NGOs,

government officials, representatives of human rights organizations, judicial institutions, emergency relief workers, scientists, academics, medical professionals, law enforcement personnel, diplomats and many others. I know this might come as a surprise to many of you, but a conference of this type is actually unprecedented.

It is the first conference of its kind to address the issue of all missing persons, regardless of the context in which they went missing --- whether from armed conflict, or as the victims of enforced disappearance and human rights abuses, whether from disasters or other mass calamities, or from organized violence, including human trafficking, human slavery, drug related violence, as well as forced migration, and displacement.

The issue of missing persons is as old as mankind itself. Yet there is virtually no understanding of the global dimension or the true scale of the problem. There are no guidelines regarding the responsibility of states to address this problem **in all its facets**. There are no universal standards, or legal frameworks in place that victim or survivor groups can refer to. And, there is no international mechanism that exists to address this global problem. I find this absolutely remarkable and I am sure you do to.

Furthermore, when we, as society, have attempted to deal with missing persons, we have compartmentalized it. We drew lines and made distinctions between missing persons and victims of forced disappearance, or organized crime, or of human trafficking. While these distinctions are of importance in criminal trials, the mechanisms to investigate these events are remarkably similar as are the needs of the families of the missing.

As Tim Judah, the journalist and author, noted in his recent article in the Financial Times when talking about unidentified migrants found on the shores of Lampedusa, “the tragedy of Lampedusa is so appalling that it almost beggars belief. The bodies of more than 230 drowned migrants have been found but dozens more are still lost or in the boat that capsized on its way to the Italian island. When the cameras have gone and demands that

something must be done to prevent such calamities recurring have disappeared, all that remains will be the desperation of the families of the missing.”

I would like to repeat the last line, “When...the demands to prevent such calamities from recurring have disappeared, all that remains will be the desperation of the families...”

His words can be applied universally: Srebrenica, Anfal, Vukovar, Hurricane Katrina, Bangladesh, Haiti, the Spanish Civil War, 9-11, the Asian tsunami and, of course, the Holocaust, ..... While the scale and circumstances of these events differ enormously, our attention span is the same. Yet the suffering and the pain remain cancerously entrenched, not only in the hearts of victims, but within shattered and abused societies—particularly those struggling to emerge from conflict, legacies of human rights abuses and decades of organized crime.

Ladies and gentlemen, we need to deal with the reality that people DO go missing. We must continue to aspire to prevent disappearances, but we must also establish the means to address the problem when it actually happens, because people DO go missing under the most horrific circumstances.

There are vast numbers, in the millions, of persons missing today around the world from armed conflict and human rights abuses, including forcibly disappeared persons. Thousands of persons go missing every year from human trafficking, drug related violence, migration, displacement and other involuntary reasons.

Remarkably, there are no available global statistics regarding the number of persons who go missing from trafficking, drug related violence and migration. Furthermore, even grappling with numbers of persons missing from armed conflict and human rights abuses, which have been much more heavily monitored, is difficult to verify, given the reluctance of most states to deal honestly with this issue.

Because there are no standards; because there are no clearly defined international legal responsibilities and response mechanisms in place to deal with countries following war, during peacetime, or following a disaster in a disaster victim identification scenario, we have often left it to the victims to fend for themselves.

For countries emerging from years of atrocities, human rights abuses or war, it is easier to deny the shame and to silence the victims, or to use or misuse, them if it is politically convenient to do so. The same holds true for those missing from trafficking, drug violence and migration. It's seen as a dirty secret and that the families should just be silent. Disasters in poor countries that result in a large loss of life and mass graves of unknown poor migrants are often viewed as just another tragic event.

Mass graves are dirty secrets. They are malignant wounds. They are a brutal reminder of our failure; our failure to uphold the rule of law and our aspirational desire to protect. So we walk away and leave it to the victims to fend for themselves.

When I speak about the victims, I am talking about the families of the missing. They never forget. The anguish of uncertainty can last a lifetime and the fear and bitterness this may cause often passes on from one generation to the next.

Let me remind you that NO country is exempt from this issue. Any one of us can go missing tomorrow, which makes it all the more bewildering that this issue has never been dealt with comprehensively before.

However, during the last two decades there have been notable advances in how the issue of the missing has been addressed, particularly following conflict and disasters. The objective of the conference will be to review the dynamics of these advances. We will explore how the issue of the missing will be addressed in the future,

including global initiatives to locate persons missing for all involuntary reasons.

These recent advances have been largely propelled by broader movements in the world to build peaceful nation-states through transitional justice strategies and rule of law initiatives that attempt to redress the legacy of violent conflict and massive human rights abuses. I am pleased that Mr. Tolbert, the President of the International Committee for Transitional Justice and former Deputy Prosecutor of the International Criminal Court of the former Yugoslavia, will discuss this further.

Such strategies have also had resonance in cases of persons missing from disasters and other causes, where law-based, forensic approaches are becoming the norm. Furthermore, developments in the field of genetics, the use of modern forensic methods and the creation of databases to track missing persons cases have made it possible to locate and identify persons with a level of certainty that was not previously available or affordable. We have several prominent speakers from the scientific and IT worlds, including Dr. Henry Erlich, Professor Michael S. Pollanen, Professor Manfred Kayser and Mr. Brian Behlendorf, who will enlighten us regarding these advances.

For the first time progress is quantifiable. More persons missing from recent conflicts or disasters have been accounted than ever before in history. ICMP Commissioner, Her Majesty Queen Noor, who is ICMP's longest-serving Commissioner, and who knows the issue better than anyone, will review ICMP's efforts following conflict.

The conflicts which took place in the former Yugoslavia during the 1990's are a case in point. It is estimated that 40,000 persons went missing as a consequence of armed conflict, abuses of human rights and other atrocities. Today, 70 percent of those missing have been accounted for. This could not have happened without the political will of the countries involved and it is our honor to welcome President Josipovic, the President of Croatia, to speak about the remarkable progress made following the harrowing conflicts in the former Yugoslavia.

The mass loss of life following the attacks in New York City on September 11, 2001, is another case in point. Incredibly, despite the enormous odds against progress, the majority of those persons killed have been successfully identified. We welcome Mr. Frank de Paolo and Mr. Paul Sledzik who are here to discuss how New York City addressed this mass calamity.

The unprecedented effort by the world's police forces to account for persons missing from the 2004 Southeast Asian Tsunami is another example of the ability to pull together resources on an international level, which resulted in accounting for a significant number of missing. It was INTERPOL that provided that coordination and as Secretary General, it was Mr. Ron Noble himself who had the vision to draw vital lessons from this unprecedented effort. Mr. Noble's speech will be followed by Professor Pongruk Sribanditmongkol from Thailand, who worked together with ICMP in identifying victims of the Asian Tsunami.

These modern approaches have had an impact on the development of countries emerging from conflict, or following large-scale disasters. In regions where countries have successfully addressed missing persons cases following conflict such as the countries of the former Yugoslavia, Peru, Argentina, East Timor and South Africa, nations assume ownership for the process. Efforts are made to properly investigate cases and to hold perpetrators accountable. Civil society is actively engaged and modern forensic methods, including DNA testing, are used as standard.

These modern approaches have also had a significant bearing on criminal trials and have strengthened the rule of law. In doing so relatives of the missing have not only gained the right to know the fate and circumstances of the missing, but have also started to seek justice and reparations. Our speakers, the ministers from Iraq, Mr. Al-Sudani and Dr. Amar, as well as Mr. Eric Stover from Berkley University, Mr. Wigger from ICRC and Ms. Dzumhur from the UN Working Group on Enforced or Involuntary Disappearances will address these issues.

The shift in the role of the international community was defined in the 1990s in relation to violent conflict and human rights abuses. The establishment of the International Criminal Court, International Tribunals for crimes committed in the Former Yugoslavia, Rwanda and other international and hybrid courts clearly marked this change. Our colleagues from the International Criminal Court will also discuss this shift.

The conference will also explore the impact of resolving missing persons cases as a means to contribute to ending of cycles of violence and to eventual economic development, non-repetition and prevention. I look forward to hearing from the former First Minister of Scotland, Lord Jack McConnell who has written extensively on this subject and is a powerful advocate of effective conflict resolution mechanisms.

The problem of missing persons does not respect borders, whether persons are missing from conflict, human rights violations, disasters, organized violence or from refugee flows and migration. In this regard, the issue of the missing is increasingly seen as a global, cross-border concern, which warrants a structured and sustainable international response. As a consequence, the role of the international community has also evolved. We are honored to have Ambassador Swing, the Director-General of IOM, here to discuss migration and Mr. Steinberg from Human Rights Watch to present his report on disappearances in Mexico from drug related violence. I am also delighted to welcome Sister Consuelo whose work on this issue is quite inspirational.

The final session of the conference will look at future challenges in creating an agenda to tackle the issue. We will explore future scientific challenges, the challenges faced by the international community and domestic authorities. We will explore the creation of global databases that can track information about missing persons and that can link with domestic efforts. We will also discuss ethical concerns in developing a future agenda, including ensuring data protection and an equitable approach that adheres to high standards and that can be applied to rich and poor countries alike. Dr. Alex John London and Dr. Jay Aronson will address these topics.

We will conclude the conference on Thursday morning. Mr. Jeremy Sarkin, the rapporteur for our conference, who is a member of the UN Working Group on Enforced and Involuntary Disappearances, will provide concluding remarks based on the two days of conference discussions. We have the honor to include brief concluding interventions from Foreign Minister Timmermans and Ambassador Mike Kozak from the US State Department. I am pleased to note that my fellow commissioners, in addition to Her Majesty Queen Noor, Mr. Kok, the former Prime Minister of the Netherlands, Ambassador Ekeus and Ambassador Vollebaek, the former Foreign Minister of Norway, will be joining us throughout the conference providing words of wisdom and insight.

In an attempt to broaden the participation beyond this conference, we have held a series of three roundtable discussions. The first, in The Hague, included international organizations and NGOs. The second was held at the University of Sussex with academics from British universities and I would like to thank the University for hosting that discussion. The last, and I have to say the most riveting, discussion was held in Sarajevo with persons from all over the region of the former Yugoslavia. The report on these roundtable discussions was provided to you in advance of the conference and will be included as part of the final conference report which Mr. Sarkin will take the lead in creating.

We would also like to hear from all of you. We have included time at the end of each panel discussion for questions and answers and I would encourage you to participate. We have a lot of territory to cover, so please keep comments and questions brief and to the point.

I would also like to take this opportunity to thank our supporting governments (The Czech Republic, Germany, The Netherlands, Norway, Sweden, Switzerland, Turkey, The United Kingdom, The United States of America and The European Union). Without their generous contribution and support this conference would not be possible and ICMP would have disappeared a long time ago....

Ladies and Gentlemen, as I said at the beginning of my remarks, this conference is unprecedented. It is a first attempt at defining the scale of the problem, regardless of whether a person is missing from war, human rights violations, disasters, terrorist attacks, human trafficking, organized crime, migration; at exploring the creation of guidelines, standards and data protection policies concerning the responsibility of states and the international community in addressing the issue; harnessing the exciting advances in science and informatics that make it possible to more accurately identify persons and to locate them globally.

This conference is just the beginning. I would like you to join us in making this a thought provoking, creative and dynamic discussion.

I would now like to welcome ICMP Commissioner, Her Majesty Queen Noor.....