

KEY MESSAGES:

10 LESSONS LEARNED OVER THE LAST 21 YEARS OF ICMP WORK

1. THE ISSUE OF MISSING PERSONS IS A GLOBAL CHALLENGE

Conflict in the Middle East and Sub-Saharan Africa has resulted in large numbers of people going missing (in Iraq the figure could be as high as one million) and has generated mass migration in which tens of thousands more have gone missing; at the same time, repressive governments are applying systematic policies of enforced disappearance as a means of exerting political control, while governments in democratic societies often show limited understanding of the social circumstances that can cause members of vulnerable groups, such as ethnic minorities, to go missing in disproportionately high numbers.

2. THE ISSUE OF MISSING PERSONS IS NOT ABOUT THE PAST

It is about managing the present and building for the future. It is not principally about the dead, but about the living. It is about asserting the rights of survivors – the right to know the fate of a loved one, the right to justice, the right to the truth and the right to reparation. In missing persons cases arising from conflict, crime and human rights abuse, addressing the issue in an effective way can help to prevent recurrence.

3. MISSING PERSONS CAN BE ACCOUNTED FOR

Just as the scale of the problem has become clearer in the last 21 years, so the capacity to address the problem has become greater. Effective political, social, legislative and scientific strategies make it possible to account for the missing with greater success than ever before. The fact that more than 70 percent of the missing from former Yugoslavia have been located and identified testifies to this fact.

4. GOVERNMENTS HAVE TO BE PART OF THE PROCESS

Recalcitrant authorities can be made to honor their mandatory responsibilities. International and civil society partners can work successfully with authorities, including authorities that are unwilling or that are institutionally limited, in order to establish functioning institutions to address the issue of missing persons.

5. THIS IS A RULE-OF-LAW ISSUE

Clandestine graves are crime scenes; the perpetrators of enforced disappearance should be subject to prosecution. The oddest thing about this statement is that it has to be made at all. The same holds true for criminal enterprises that engage in the trafficking of children, resulting in their disappearance. In the context of the current migration crisis, for example, as many as 10,000 children are reported to have gone missing.

6. STANDARDS IN DATA COLLECTION, USE AND PROTECTION MUST BE ADHERED TO

In the process of locating and identifying the missing, stakeholders, including families of the missing must have guarantees that their personal and genetic data will only be used for the purposes for which this data was provided.

7. THE MAJORITY OF MISSING PERSONS FROM CONFLICT ARE MALE

Therefore, survivors are largely women and children, which means that programs to account for the missing must be tailored to meet their needs for justice, truth and reparation. The issue of missing persons is a gendered issue and needs to be addressed from a gender perspective too.

8. SURVIVORS HAVE EQUAL RIGHTS

Families of the missing, regardless of their religious, national, ethnic origin, their gender, political orientation or the role of their missing relative during a conflict, have equal rights to the truth, to justice and to reparation. Survivors are the primary stakeholders in the process of accounting for the missing.

9. THE DEFINITION OF WHO IS A “MISSING PERSON” MUST BE BROADENED

A missing person can be someone missing from conflict, human rights abuses (including enforced disappearance), disasters, organized crime, forced migration or any scenario where persons go missing for involuntary reasons. Often, it is difficult to distinguish between the range of circumstances. For example, a Syrian escaping the conflict may have missing relatives not only from the conflict, but from the migration crisis and from maritime disasters in the Mediterranean.

10. ACCOUNTING FOR THE MISSING IS KEY TO GOOD GOVERNANCE, STABILITY AND ECONOMIC DEVELOPMENT

You can only build peace on a foundation of justice, and large numbers of missing persons constitute a fundamental injustice. If this issue is not dealt with in a vigorous, public and just way, it will undermine overall recovery.

BACKGROUND ON ICMP

- ICMP is a treaty-based intergovernmental organization whose mandate is to secure the cooperation of governments, civil society organizations, judicial institutions, international organizations and others in locating and identifying missing persons from conflict, human rights abuses, disasters, crime, migration and other causes.
- As part of its programs, ICMP operates the world’s leading high-throughput DNA standing capacity to conduct human identifications and the only comprehensive data management and protection platform focused on locating and identifying missing and disappeared persons through an accessible, online portal.
- ICMP was created at a G-7 Summit in Lyon in 1996 as a Blue Ribbon Commission tasked with securing the cooperation of governments in the region of the Former Yugoslavia account for the 40,000 persons who went missing from the armed conflicts of the 1990s. Today over 70% of the missing have been accounted for, including almost 90 percent of the 8,000 persons missing from the Srebrenica Genocide.
- At the end of 2014, five European States, including Sweden, the UK, the Netherlands, Belgium and Luxembourg signed an *Agreement on the Status and Functions of the International Commission on Missing Persons (ICMP Agreement)*. The treaty went into force in 2015 and today ICMP is a treaty-based international organization, headquartered in the Netherlands with a global mandate to secure the cooperation of governments and others in locating and identifying missing persons from conflict, human rights abuses, disasters, organized crime, irregular migration and other circumstances where persons go missing for involuntary reasons.