

FREQUENTLY ASKED QUESTIONS MISSING MIGRANTS PROGRAM

WHAT IS THE SCALE OF THE MISSING MIGRANTS ISSUE?

More than 3,000 migrants died trying to cross the Mediterranean in 2017; more than 2,000 died in the first ten months of 2018. From the beginning of 2014 until October 2018, nearly 17,000 migrants died on the Mediterranean route, according to the International Organization for Migration (IOM).

One in every 14 people died in the first quarter of 2018 crossing from Libya to Italy, compared to one in 29 people for the same period in 2017, according to the office of the United Nations High Commissioner for Refugees (UNHCR).

In October 2017, the IOM indicated the likelihood that the number of migrants dying en route from Sub Saharan Africa to the Mediterranean coast was at least double the number who were drowned during the actual crossing.

In 2017, more than 17,000 unaccompanied children reached Europe. Most of these children arrived by sea to Italy, where 13 percent of all arrivals were children traveling on their own, a similar trend to 2016.

The issue concerns those who have died and those who have disappeared but who may still be alive. European governments have reported that migrants, and especially child migrants, have disappeared in significant numbers after their arrival in host countries.

WHAT IS THE INTERNATIONAL COMMISSION ON MISSING PERSONS (ICMP) DOING TO ADDRESS THE ISSUE OF MISSING MIGRANTS?

In line with its mandate, ICMP is enhancing cooperative efforts to account for migrants who have gone missing or have died. At ICMP's invitation, representatives of Mediterranean states met in Rome on 11 June 2018 to launch a Joint Process to enhance domestic capabilities and cooperation among these states. Cyprus, Greece, Italy and Malta are taking part in the Joint Process, and participation from other European states, as well as of countries of origin is being sought. The immediate objective is to understand the extent of the problem and whether resources and capacities are in place to address it. To this end, ICMP is assessing investigatory capacities, including forensic and data system capacities, procedures to locate missing migrants and/or identify their mortal remains, and modalities for repatriating the remains of deceased migrants. The result of this assessment will be the proposal of a set of measures to redress possible gaps in domestic capacity.

ICMP is also seeking to raise awareness on the issue by giving survivors a voice. On 11 June 2018, ICMP co-organized a "Profiles of the Missing" event in Rome together with the Government of Switzerland. Migrant survivors provided first-hand testimony of their experience, and policymakers discussed steps that can be taken to address the issue of missing migrants.

HOW DOES ICMP ADDRESS THE GENDER DIMENSION OF THE ISSUE OF MISSING MIGRANTS?

ICMP takes a proactive approach to the circumstances faced by women and children who are left behind following disappearances. Across the full range of scenarios in which people go missing, including migration, ICMP implements programs to improve the support available to female-headed households, and provides learning and development programs that can help women to advocate effectively for their rights to justice, truth and social and economic benefits. By engaging with female leaders it is possible to ensure that the approach of governments meets the specific needs and rights of survivors.

WHY IS ICMP ADDRESSING THE ISSUE OF MISSING MIGRANTS?

Efforts to address the issue and provide support for families who are left behind are severely hampered by a lack of basic information.

The bodies of deceased migrants are often not found, and if they are found, identification is in many cases difficult since irregular migrants by necessity often travel without documents and their families may not report them missing.

Likewise, migrants who are afraid of criminal proceedings or deportation may intentionally seek to avoid registration – which makes them more vulnerable to trafficking and exploitation and prevents them from receiving assistance and protection to which they are legally entitled.

The approach of national authorities varies.

An increasing number of databases place data about migration and missing migrants in silos, many of which are isolated and accessible only by a small number of individuals and agencies.

WHY SHOULD STATES ALLOCATE SCARCE RESOURCES TO ACCOUNT FOR MISSING MIGRANTS?

Under international law, States are legally obliged to investigate the fate and whereabouts of missing persons in an effective way, including the circumstances of their disappearance. In Europe, these rights are guaranteed, inter alia, under Articles 2 (right to life) and 3 (prohibition of torture) of the European Convention on Human Rights (ECHR).

Failure to investigate the fate of the missing, publicly, officially and transparently, threatens to legitimize the application of variable standards, based on group characteristics.

The absence or death of a parent/spouse is often used as a pretext to deprive family members of their human rights, including their economic, social, and cultural rights (e.g. withholding inheritance, or denying support in regard to the provision of health care and education).

WHO IS FUNDING ICMP'S MISSING MIGRANTS PROGRAM?

ICMP's Missing Migrants Program has been funded through a US\$ 400,000 grant from the Federal Department of Foreign Affairs of Switzerland. This grant, made in December 2017, enabled ICMP to launch the missing migrants initiative in 2018.

ICMP is implementing a program funded by the European Union (EU) to collect data on missing persons from Syrian refugees in Lebanon, Jordan, Turkey and Iraq. Outcomes will be used to improve migration-related missing persons investigations in Europe as the program provides a direct link to a large migrant and refugee population, and data collected will facilitate investigating the fate of persons who went missing attempting to cross into Europe.

WHAT IS THE ORIGIN OF ICMP'S MISSING MIGRANTS PROGRAM?

In January 2016, together with the United Kingdom mission to the United Nations, ICMP brought together senior diplomats and experts at the UN Security Council to discuss core aspects of the global missing persons problem, including persons missing in the context of migration.

In May 2016, ICMP and the Italian Government's Special Commissioner for Missing Persons signed a Cooperation Agreement under which ICMP and the Italian authorities are committed to working together to improve the procedure for identifying migrants who have drowned in the Mediterranean.

ICMP conducted Inter-Agency roundtable meetings at its Headquarters in The Hague, on 9 December 2016 concerning data processing capabilities, and on 18 December 2017 concerning support by international organizations to Mediterranean countries confronting the issue of missing and deceased migrants. A third Inter-Agency roundtable was held in Rome on 11 June 2018, focused on implementing a Joint Process to address the missing migrants issue in the Mediterranean. IOM, the International Criminal Police Organization, the European Union Agency for Law Enforcement Cooperation, the International Criminal Court, the International Committee of the Red Cross, UNHCR, the United Nations Children's Fund, the European Union's Judicial Cooperation Unit, the European Network of Forensic Science Institutes, and the Delegation of the European Union in The Hague participated in one or more of these roundtables.

In April 2017, ICMP launched an EU-funded program to collect data on missing persons from Syrian refugees in Lebanon, Jordan, Turkey and Iraq, which, among other things, produced information and suggested operating procedures that could help to improve migration-related missing persons investigations in Europe.