

‘Identity unknown’: migrant deaths at sea

Stefanie Grant

Political unrest in North Africa has led to a resurgence in irregular migration to Europe and an increase in migrant deaths at sea, yet there is still no framework for identifying those who die or recording their numbers.

In the last decade, tens of thousands of migrants and asylum seekers have lost their lives on dangerous sea crossings – victims of weather, unseaworthy boats and unscrupulous smugglers. Where their bodies have been recovered, often washed onto European beaches, too often their names – and even their nationalities – are unknown, and so they add to the growing number of anonymous graves around the EU’s southern frontiers.

In their 2009 Stockholm Programme,¹ EU member states recognised the need to avoid these tragedies and to record and identify the migrants, and called for dialogue with countries of origin. In recent months, the need for such humanitarian action has become more urgent. Since January 2011, reports of death and loss have risen sharply; in April alone, more than 800 migrants left Libya by sea and are believed to be missing, feared dead.

There is at present no common practice for correlating information about migrant deaths, either nationally or between different states. The technical skills needed for identification exist but there is not yet an international framework establishing what information should be collected, and how it should be shared.

A good starting point would be to review international practices for responding to death and loss in situations of humanitarian emergency. These typically use principles drawn from human rights and humanitarian law, focusing first on prevention of deaths, and then on identification of the dead. They acknowledge a duty to treat the dead with respect and dignity, to acknowledge the rights of families, and – where possible – to return bodies to the families. They recognise

that families have a right to know the fate of missing relatives; to have access to information on the place of burial; and to obtain the confirmation of death needed to clarify inheritance, marriage or property rights.

A useful first step would be for European states to develop common standards in three areas:

- Preservation of evidence for identification – photographs, fingerprints, possessions, clothing. This will enable families to obtain information at some future time, and establish if a relative has died.
- Creation of an international database in which deaths would be registered, and which relatives could access.
- A common set of principles for burial, to ensure that the dead are treated with respect and dignity; if identified, they would be returned to their families or buried in individually marked graves.

It is important to consult with migrants’ home countries and communities on how this should be done. New internet technologies enable individuals to search for relatives, anonymously if this is a family’s wish; specialist online databases and websites have been created for death and loss in emergencies by humanitarian organisations and by private commercial enterprises (such as Google).

Thomas Hammarberg, the Council of Europe’s Commissioner for Human Rights, describes the need to identify and account for undocumented migrants who disappear on the journey as “imperative”. And a forensic anthropologist who works to identify those who die at the US-Mexican border put it this way: “If this were to happen to us, God forbid, we’d want every jurisdiction possible doing everything they could to try to identify the person.”



In Lampedusa cemetery, Italian police and naval personnel pay their respects at the funeral of three people killed when their boat ran aground on Lampedusa after the long journey from Libya. May 2011.

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1. 2010-2015 guidelines for justice and home affairs of the member states of the EU: *The Stockholm Programme – an open and secure Europe serving and protecting the citizen*, doc. 17024/09, adopted Dec 2009 (see Part 6) www.pmlp.gov.lv/en/ES/PPD_Stockholm_program_EN.pdf