



ICRC HUMANITARIAN FORENSIC ACTION ON BEHALF OF DECEDENT MIGRANTS

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Forensic sciences applied to Humanitarian Action

Dignified
management
of the dead



Search, recovery,
documentation

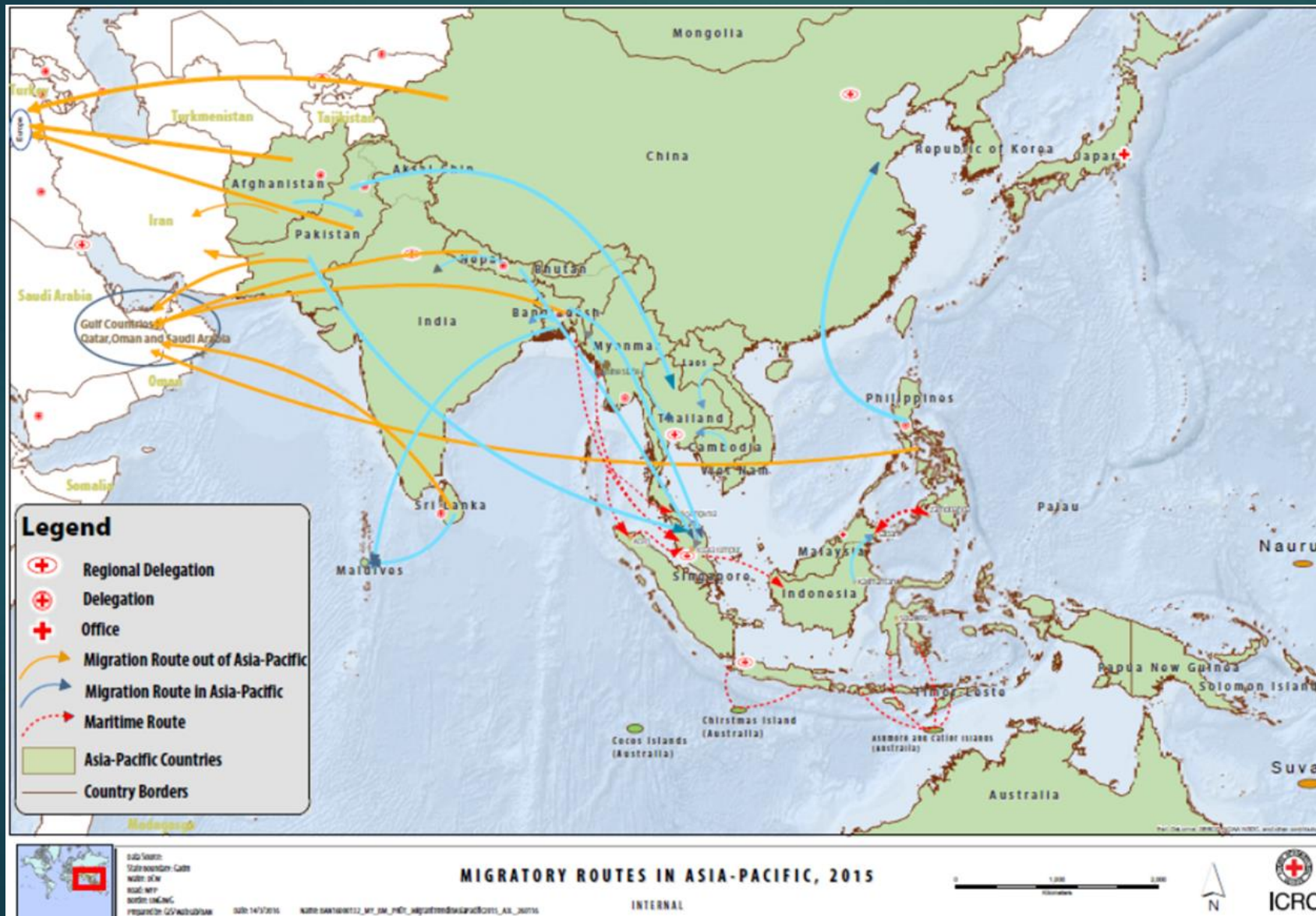
**HUMANITARIAN
FORENSIC ACTION**

Resolving / preventing
the missing

Management and identification of the dead as a result of disasters (migration)

- ▶ A complex process, with profound and long-lasting consequences
- ▶ Government, non-government and international organizations involved
- ▶ Large numbers of bodies
- ▶ Lack of data/no data available
- ▶ Poor data management
- ▶ Forensic infrastructures inadequate
- ▶ Overestimation on sophisticated identification procedures
- ▶ Lack of Interaction with families

Migration in Asia

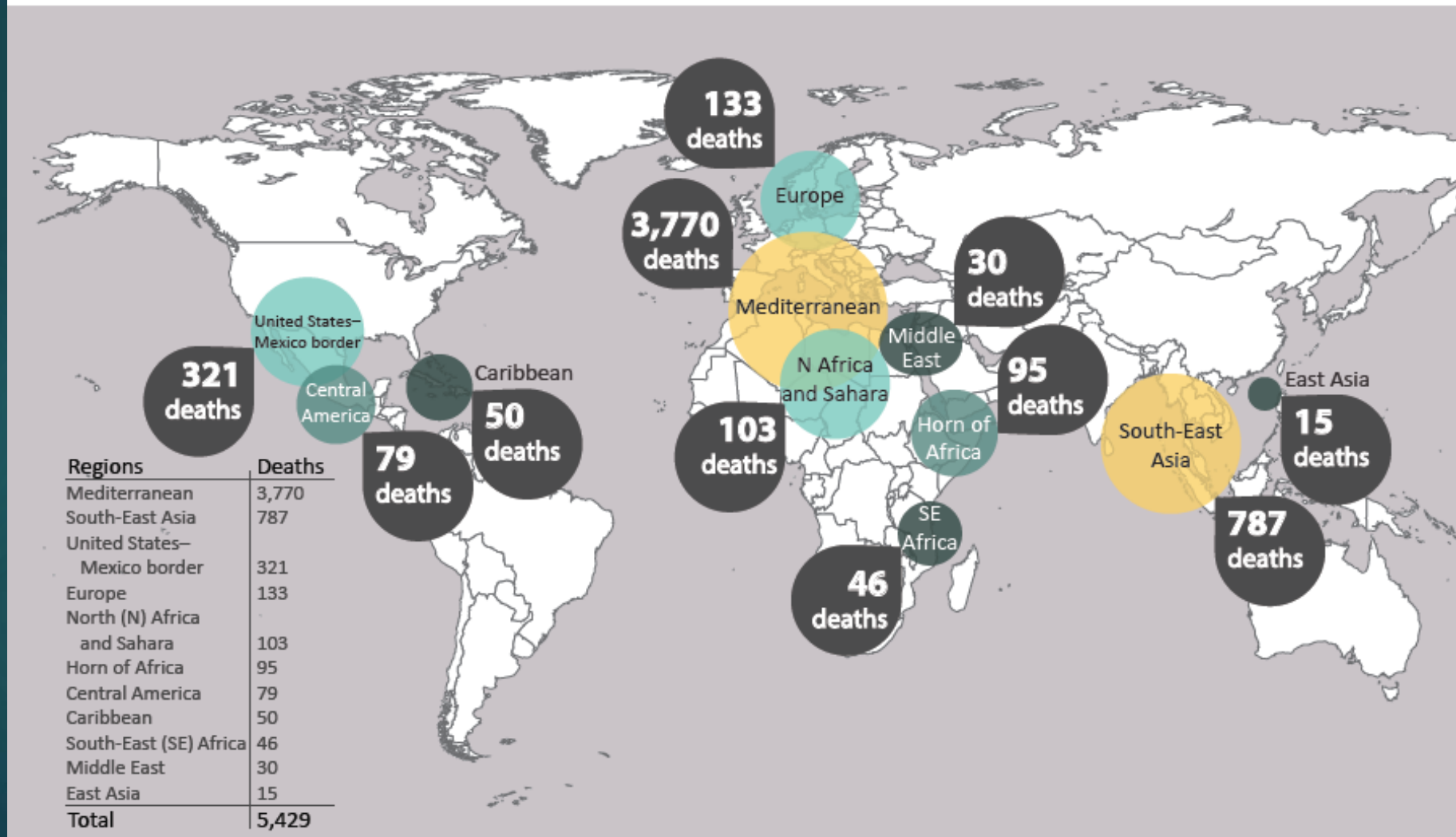


- ▶ Irregular migration
- ▶ Human trafficking
- ▶ Crime activity

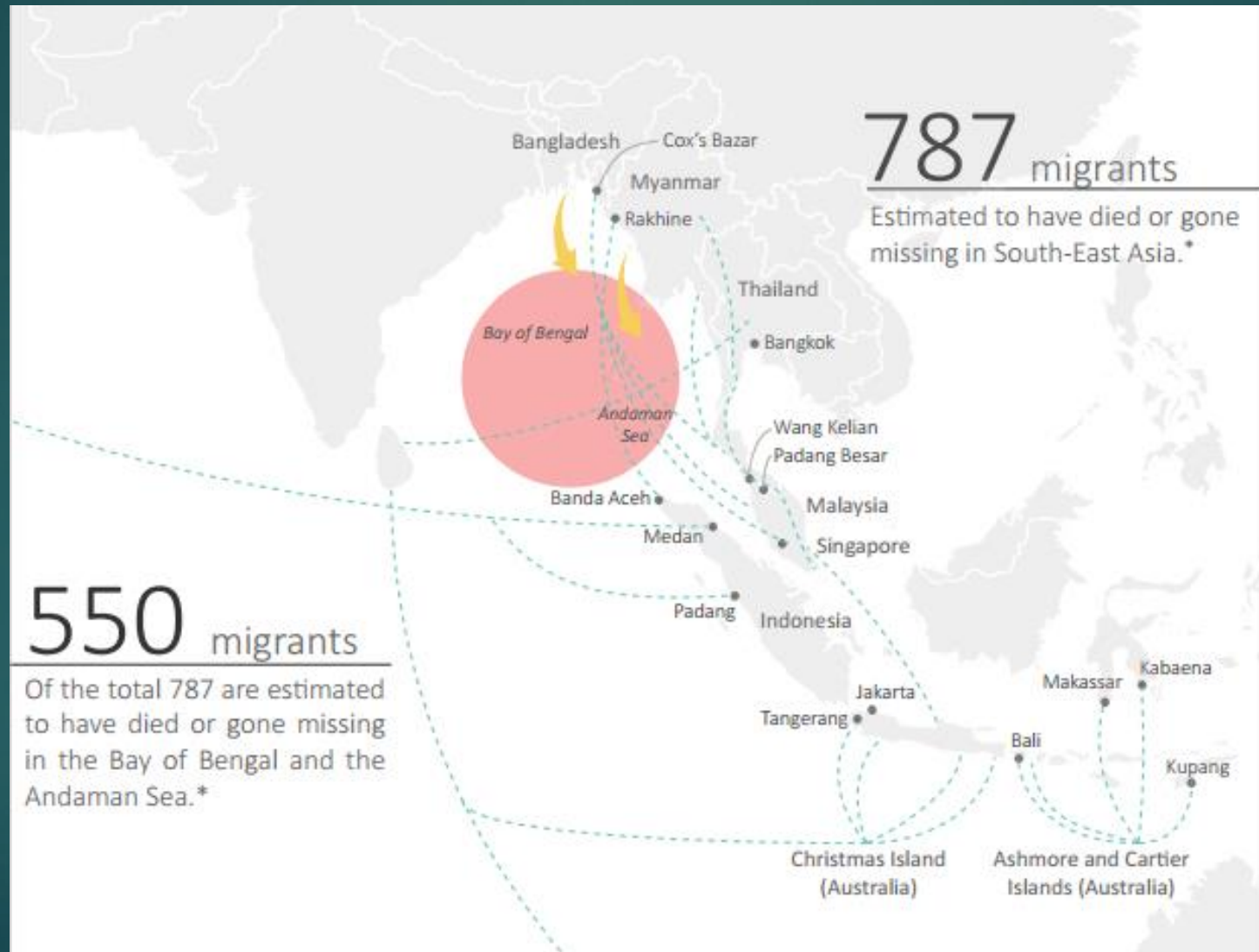
*Unidentified bodies/human remains,
clandestine graves.*

Deceased migrants in numbers

Figure 1: Recorded dead and missing migrants around the world, 2015



Deceased migrants in numbers



Understanding the context

- ▶ Legal and institutional frameworks related to forensic identification/DVI procedures
- ▶ Forensic medico-legal organizations
- ▶ Standard Operating Procedures
 - ▶ Management of the Dead/DVI procedures
- ▶ Cultural, linguistic and religious diversity
- ▶ Forensic capabilities resources (HR, material)
- ▶ Level of communication / cooperation
- ▶ Figures – Statistics
- ▶ Contact with relatives
- ▶ Identify the current needs
- ▶ Possible ICRC action and intervention

Understanding the context

- ▶ Identify all actors involved (official and unofficial)
- ▶ Build relationships
- ▶ Understand the system of handling the remains of migrants
- ▶ Understand the caseload

Deceased migrants-Indonesia

- ▶ Trenggalek boat disaster (December 2011)
 - ▶ More than 250 irregular migrants, 47 survivors, 103 non –identified bodies
 - ▶ Suspected nationalities (Iran, Irak, Kazakhstan, Pakistan, Afghanistan)
- ▶ Cidaun boat disaster (July 2013)
 - ▶ Sri Lankan as main country of origin, some Iranians included, 9 casualties
- ▶ DVI Indonesian Police is the main authority for forensic identifications in disasters (natural and man made)
 - ▶ Support by medical doctors under Ministry of Health, issuance of death certificates
- ▶ All recovered bodies processed and documented, some AMD collected from survivors.
- ▶ Good relation with the ICRC, follow up of individual cases

Deceased migrants-Malaysia

- ▶ Wang Kelian incident, May 2015
 - ▶ 130 sets of human remains found in clandestine graves
 - ▶ Myanmar and Bangladesh, suspected as Muslim origin
 - ▶ No identifications
- ▶ Royal Malaysian Police (crime scene investigation) and National Institute of Forensic Medicine (NIFM)
 - ▶ Both institutions have very well organized, but not unified, DVI teams
 - ▶ Not very good relation between them
- ▶ Good relation with the ICRC, improving access

Deceased migrants-Thailand

- ▶ Undetermined number of human remains found (possibly migrants)
 - ▶ Reported bodies buried by local NGO's
 - ▶ Bodies recovered as result of irregular migration
- ▶ Royal Thai Police/Central Institute of Forensic Science
 - ▶ Support from MoH doctors
 - ▶ Familiar with DVI procedures
 - ▶ Databases for missing persons (developing)
 - ▶ Building relationship
- ▶ Improving relationship with the ICRC.

Deceased migrants-Australia

- ▶ Well documented cases on dead migrants (mostly in route to Australia)
 - ▶ 1494 deaths documented, no precise figures on identifications
 - ▶ Most of cases in Western Australia
- ▶ Australian Red Cross has the lead supporting families
- ▶ Limited support from Australian Federal Police
- ▶ Good forensic capacity but non centralized. Support from VIFM.
- ▶ Excellent relationship with the ICRC, potential good access.

Key findings (2015-2016)

- ▶ **Numbers grossly under-represented**
 - ▶ Data on unidentified not systematically collected
 - ▶ IOM UNHCR: some figures
 - ▶ Lower estimate of real numbers- total number unknown
- ▶ **Consolidated figures on the number of bodies presumed to be migrants that remain unidentified is still unknown.**

Key findings (2015-2016)

Need to improve communication, coordination and cooperation between concerned stakeholders with the aim of moving forward towards local and regional solutions that would result in **a positive impact in the number of identifications**

Challenges

- ▶ Incidents occur in geographically remote or unknown locations.
- ▶ Difficult to track clandestine routes.
- ▶ No records on countries of origin
- ▶ Lack of ID documents and personal details.
- ▶ Full postmortem information is not mandatory for authorities
 - ▶ Not a priority but highly sensitive.
- ▶ Forensic procedures under Police control.
- ▶ Prosecutorial objectives vs humanitarian objectives.
- ▶ Individual identification vs categorical identification.
- ▶ Individual search vs comprehensive approach

Recovering bodies, identifying the dead

- ▶ Humanitarian reasons instead of criminal investigation.
- ▶ Information on identifications should be released and shared to relevant agencies.
- ▶ De-criminalization of the process
- ▶ Adequate response can ease down the suffering of the living

Actions towards the management of the dead



Every body is treated in a professional, dignified way; properly recovered, documented and identified when possible

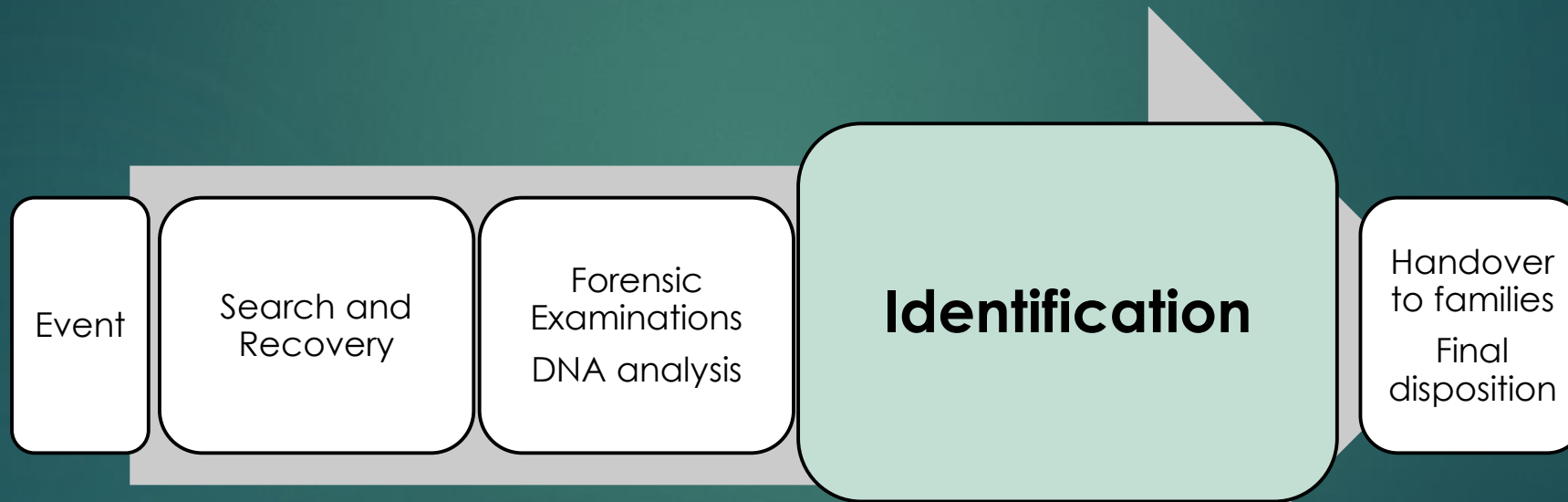
Actions towards Identification

Best forensic practices
towards identification of
the deceased: **Multi-
disciplinary integrated
approach**



Recommendations → *Proposal
of concrete actions*

**Communication, Cooperation and
Coordination**



Forensic Process

Search for the Missing/Identification of the deceased

Dead bodies

Missing persons

Post mortem Information
+ DNA samples

Ante mortem information
+ DNA samples

**Comparison and cross
matching** of PM / AM
data

Identification

Release of the body / burial

Working with NS and other organizations

- ▶ Strengthen contact with families
- ▶ Mapping of stake holders / Authorities
- ▶ Identify challenges / Difficulties in the process of assisting families.
- ▶ What NS can and can not do in their contexts.



Recommendations

- ▶ Improved communication, coordination and cooperation.
- ▶ Centralization of data: Databases, sharing of data
- ▶ Standardization: "common language", national and regional
- ▶ Networking of MLI/Forensic laboratories
- ▶ Capacity-building where required
- ▶ Quality assurance & control (ISO)
- ▶ Outreach families: National Societies, other organizations

Recommendations



- ▶ Campaign on decision-makers: national and regional levels.
- ▶ Consider incorporating/inviting institutions from countries of origin/transit/destination
- ▶ Create follow-up working group.

Some initiatives

- ▶ ICRC Regional Meetings (2015-2016)
- ▶ Regional forensic networks (APMLA, INPALMS)
 - ▶ APMLA Working Group training for the management of the dead in emergencies (ICRC co-leader)
 - ▶ ASEANAPOL, VIFM, ICRC Regional training project.
- ▶ Review on missing migrants cases (active, identified, non-identified) Australian Red Cross (with the support of relevant federal forensic authorities).

Thank you...