

Challenges and Opportunities for Managing Forensic Data related to Dead Migrants

Observations from the ICRC

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Latin America and Enforced Disappearances (1980's)





The Balkans – ICTY



The ICRC and Forensics



http://www.icrc.org

 2003 December – 28th International Conference of the Red Cross and Red Crescent



Guiding Principle



Families of The Missing: at the core of investigations into their whereabouts



Participation of families of The Missing

- Contribution to investigation
- Collection of AMD
- Legitimacy of investigations
- Acceptance of results (mourning & healing)



Data Collection

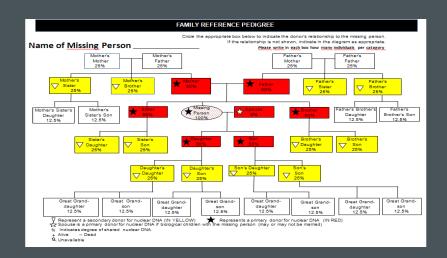
- List of Missing
- Ante-mortem data
- Circumstances of disappearance and possible burial sites







Biological Reference Sample Collection



- Collection of Pedigree Trees
- Selection of donors
- Entry of donor information in an electronic data management system (including name relationship to MP, address and phone number)
- Filtering by place of residence donors are contacted for appointments
- Data on appointments is entered in a database





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Laboratory Analysis

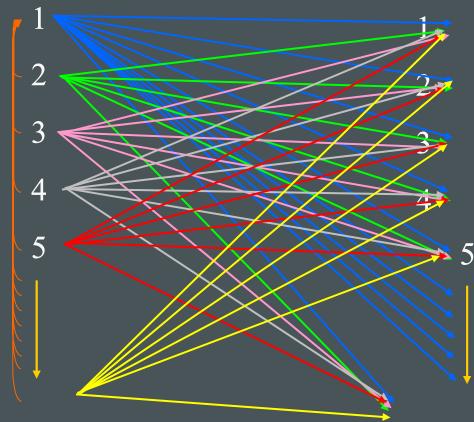




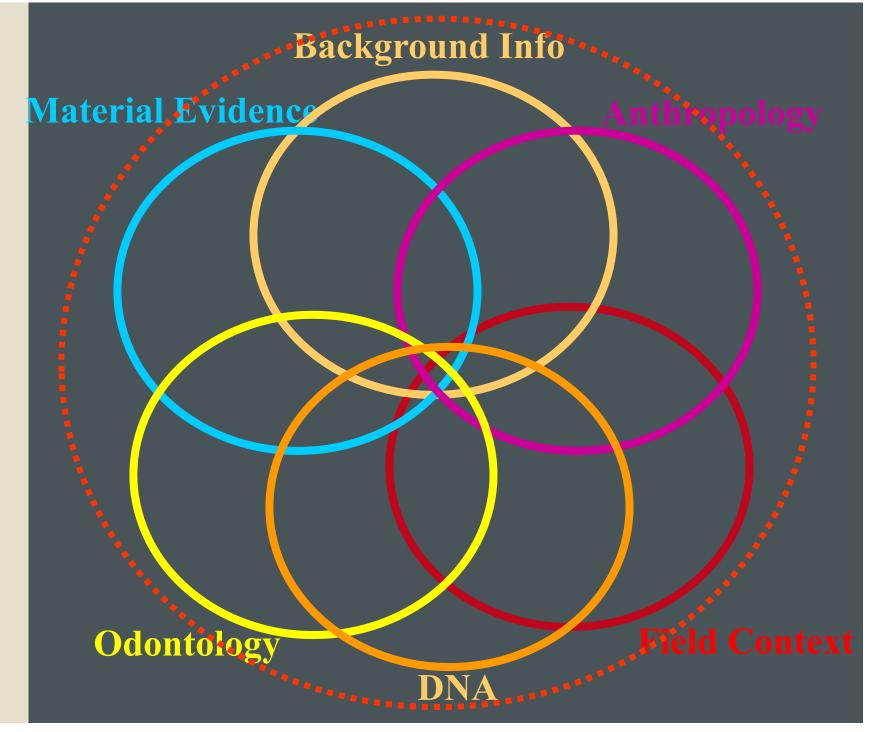
DNA Matching



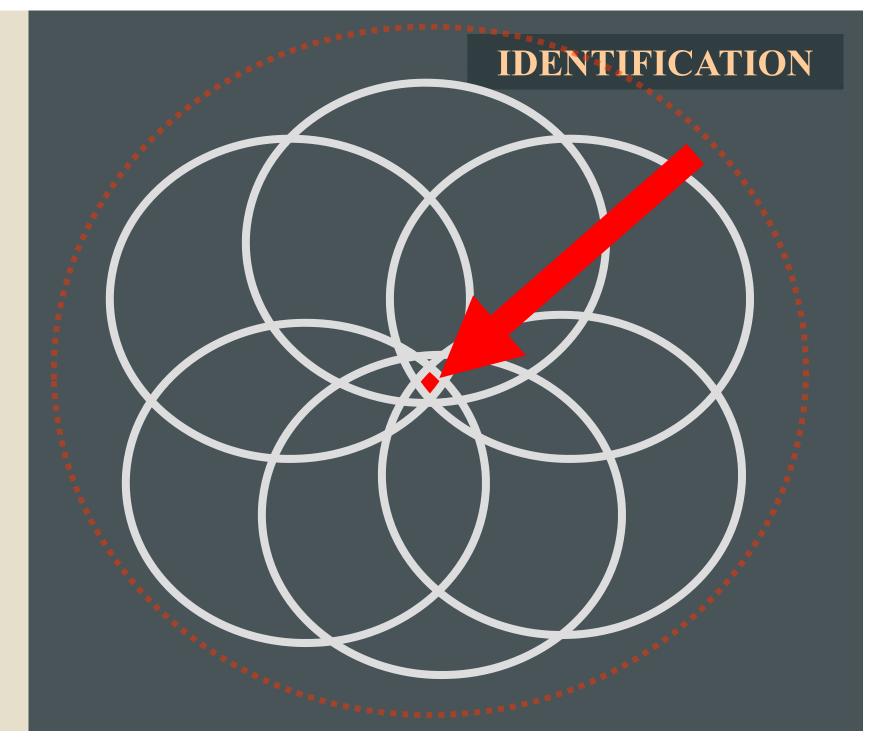
Families of Missing













Disasters and Catastrophes











Dead Body Information

ANNEX 1 **DEAD BODY INFORMATION FORM** Unique code: (Use this same code on associated files, photographs or stored objects.) Possible identity of body (Explain reasons for attributing a possible identity): Unique Code: ___

A. PHYSICAL DESCRIPTION Person completing this form Incomplete body (describe): General condition (mark Partially Well preserved A.2 Apparent sex Place & date: (mark one and describe Describe evidence (genitals, beard, etc): evidence): Age group (mark one): Recovery details (include place, date, time, by whom found, and circumstance coordinates if available. Indicate if other bodies were recovered in the same area A.4 Physical Height (crown to heel with units): Short possible relationship, if identified) description (measure or Weight (specify units): Average mark one): A.5 a) Head hair: Shape:

Body part (describe): Undetermined Average CHIANGMAI PRISIBAND Baldness: 001 CHIANGMAI PRISIBAND











Unique Code













Crisis Management Center

- Receive Tracing Requests
- Compile a <u>Missing Persons List</u>
- Collection of AMD
- Consent form
- Centralization of information





Forensic Human Identification

FAMILIES

Report disappearance

Missing persons form ANTE-MORTEM INFO

Forensic matching

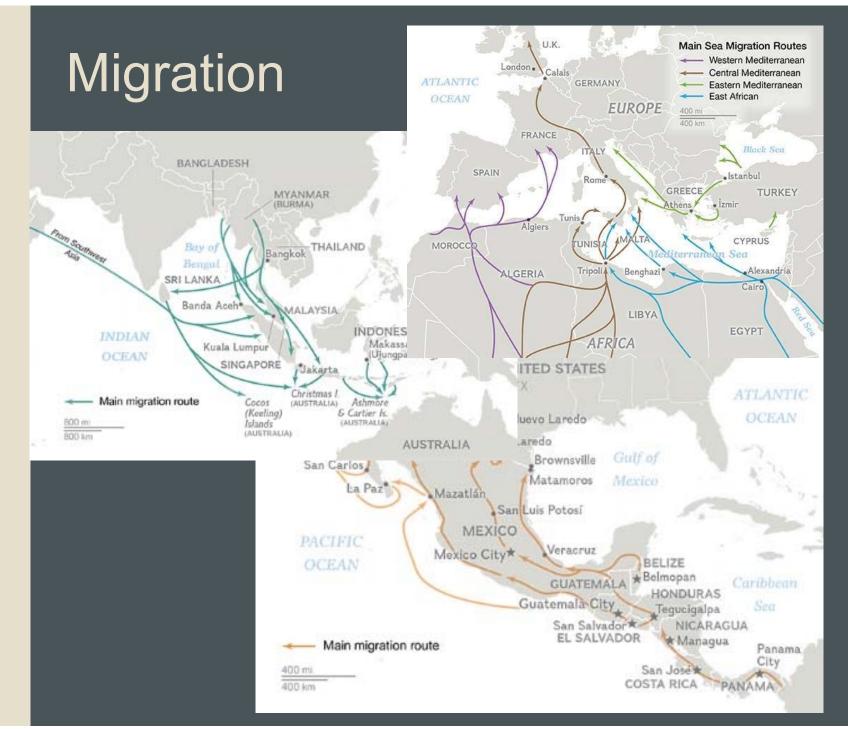
POST-MORTEM INFO

FIRST RESPONDERS

Body recovery & Info collection

Dead bodies identification form





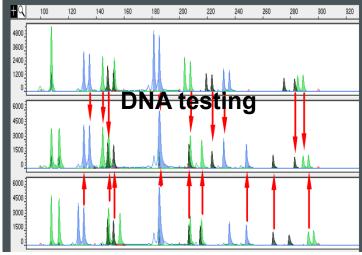


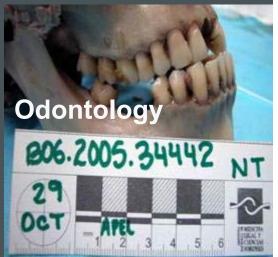
Forensic identification: multidisciplinary task













Methods of FHI

Visual recognition (fresh cadavers)

+

Circumstantial evidence

(including time/site of occurrence, clothing, etc.)

+

 Strong AMD-PMD match of biological profile (sex, age, stature, ancestry)

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friction-ridge analysis; dentistry; unique medical/anthr. conditions; X-rays; DNA



Challenges

- Who is Missing?
- Where are the families?
- Lack of Political Will / Lack of Resources
- Fragmented Systems
- Capacities Overwhelmed
- Lack of consistency
- Multiple languages
- Different cultures



Post-Mortem Data

Shift of responsibility
Different Systems
Varying practices:

- Autopsy
- External examination
- Finger printing
- Genetic Sampling
- Dental Records
- Ancillary Examinations

No centralized repository of information





Ante-Mortem Data and BRS

- Families under-report missing persons
- Where to report a missing person?
- Difficulty in access to the families
- Lack of medical/dental data
- Limited number of qualified persons to collect accurate and quality assured data
- No standardization
- Language barriers
- Cultural considerations

No centralized repository of information



Challenges

- Lack of coordination (mechanisms: local, national-regional-international)
- Lack of Trust
- Lack of resources
- Ownership of information

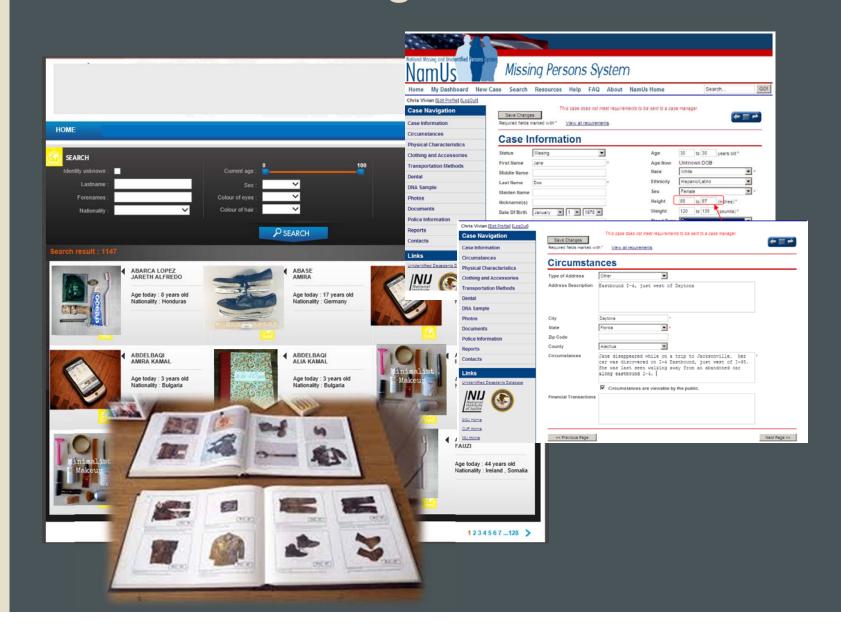




Opportunities

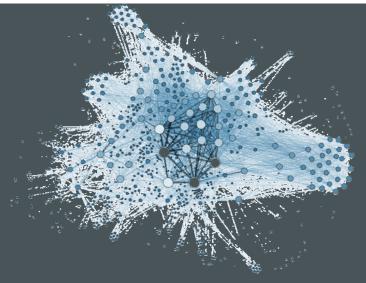


Crowd-Sourcing of Information

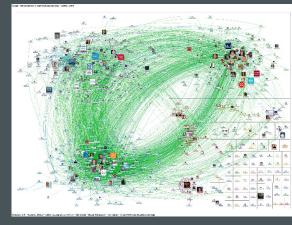




Data Mining



- Capability to import data from different formats
- Automatic Extraction of information from other humanitarian agencies and open sources including social media
- Automated sorting, standardization and population of fields
- Automatic alerts on the availability of information





New technologies and Alternative Sources

- Mapping Software (GIS Predictive Modelling)
- Facial Recognition Matching Software
- Personal Effects Matching Software
- Automatic Translation
- Social Media Images
 - ▶ Tattoos
 - Dental
 - Personal effects (e.g. jewellery)



Considerations



Validation





Detailed Interview
Automatic Data Entry









Data Protection Principles

- "Personal data" means any information relating to an identified or identifiable individual, including documents collected or copied in view of contributing to the process of identification.
- "Sensitive data" means data likely to give rise to unlawful or arbitrary discrimination based on racial or ethnic origin, nationality, religious or other beliefs, sexual behavior, criminal background, medical data or health information.
- Personal and sensitive data shall be collected and processed fairly and lawfully, with appropriate safeguards.



Data Protection Principles

- The collection and use of personal data should, where possible, be based on the <u>informed consent of the person</u> <u>concerned.</u>
- Personal and sensitive data may not be processed, used, disclosed, or transferred for <u>purposes other than those for</u> <u>which they were collected without the consent of the person</u> <u>concerned</u>, except if required by a substantial public interest or for the protection of the vital interests of the person concerned or of others.
- Access to personal and sensitive data should be granted to the individual to whom the data relate.
 - Including the right to challenge the accuracy and completeness of the data and to have them amended as appropriate



Data relating to Missing Persons

When the fate and whereabouts of missing persons are being clarified, personal data can be processed on the basis of the vital interest of the person concerned or of another person, as well as for important grounds of public interest.



Informed consent & Data transfer

- Data transfer is possible if agreed by the concerned person
- Exception: individual cannot be reached and collection of data is clearly in his interest.
 - In this case, data transfer must be carefully considered

HANDBOOK
ON DATA PROTECTION
IN HUMANITARIAN ACTION
Co-editors: Christopher Kuner and Massimo Marelli







Recommendations

- Legal/Administrative Framework
- Coordination/cooperation multiple stakeholders (national, regional supraregional mechanisms):
- Training and dedicated capacities
- Standardization of terminology, forms and protocols
- Centralization of information
- Validation and Quality Control
- Searchable Database with Different Access Levels
- Family outreach programs, to give and receive information (AMD/DNA) + psychosocial support



Thank you