

# Deaths at the Borders: Evidence from the Southern External Borders of the EU

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## 1. Introduction

The last couple of years have seen a surge in interest and attention to the issues relating to boat migration in the Mediterranean region.<sup>1</sup> While the numbers of people making the attempt, and those who have gone missing or been found dead, are reported to have increased quite dramatically from previous years,<sup>2</sup> this is by no means a new phenomenon. Indeed, people have been risking their lives to enter the EU by crossing the southern external borders without authorisation since the 1990s (even earlier in the Strait of Gibraltar). While we know this to be true, there is scant data available to analyze the trends of this phenomenon, and to determine which policy-driven or other factors increase or decrease migrant mortality in the Mediterranean region. In creating the Deaths at the Borders Database for the Southern EU External Borders, we sought to – at least partially – fill this gap by collecting and making publically available all evidence relating to migrant bodies processed by local authorities in Spain, Gibraltar, Italy, Malta and Greece.

The Deaths at the Borders Database is an ‘evidence-base’ of migrant deaths covering the southern EU external border regions for the period 1990-2013. It contains individualized information about each person who died attempting to migrate irregularly to the EU by crossing the external borders without authorization, and whose

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<sup>1</sup> For example: ‘The Mediterranean Migration Crisis: Why People Flee, What the EU Should Do’ (Human Rights Watch, 19 June 2015) <[www.hrw.org/report/2015/06/19/mediterranean-migration-crisis/why-people-flee-what-eu-should-do](http://www.hrw.org/report/2015/06/19/mediterranean-migration-crisis/why-people-flee-what-eu-should-do)> (accessed 11 December 2015); ‘Migrants crossing Mediterranean into Europe hit 150,000’ (Aljazeera, 10 July 2015) <[www.aljazeera.com/news/2015/07/migrants-crossing-mediterranean-europe-hit-150000-150710124934065.html](http://www.aljazeera.com/news/2015/07/migrants-crossing-mediterranean-europe-hit-150000-150710124934065.html)> (accessed 11 December 2015)

<sup>2</sup> FRONTEX reported a 164% increase in unauthorized entries along the EU’s external borders in 2014 as compared with 2013; and in their latest Risk Analysis report for the second quarter of 2015, they report a 140% increase compared to the second quarter of 2014. Sources: FRONTEX Risk Analysis Unit, *Annual Risk Analysis 2014* (Warsaw: FRONTEX, April 2015)

<[frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annual\\_Risk\\_Analysis\\_2015.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf)> (accessed 11 December 2015); FRONTEX Risk Analysis Unit, *FRAN Quarterly: Quarter 2 – April-June 2015* (Warsaw: FRONTEX, September 2015)

<[frontex.europa.eu/assets/Publications/Risk\\_Analysis/FRAN\\_Q2\\_2015\\_final.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q2_2015_final.pdf)> (accessed 11 December 2015).

Other organisations are also reporting sharp increases in unauthorized migration into Europe, especially in the Mediterranean region. See, for example: ‘Mediterranean Crisis 2015 at six months: refugee and migrant numbers highest on record’ (UNHCR, 1 July 2015) <[www.unhcr.org/5592b9b36.html](http://www.unhcr.org/5592b9b36.html)> (accessed 11 December 2015); ‘Missing Migrants Project’ (IOM, 11 December 2015) <[missingmigrants.iom.int/](http://missingmigrants.iom.int/)> (accessed 14 December 2015)

body was found in – or brought to – Spain, Gibraltar, Italy, Malta and Greece. It is the first database of migrant deaths in Europe to be sourced from official documentation. It aims to fill some of the knowledge-gaps in this field by serving as a new, complementary resource to existing media-sourced databases<sup>3</sup>, and, ultimately, to make possible evidence-based debates about migrant deaths aimed at concrete recommendations and policy changes.

***“The majority of migrants whose bodies are found remain unidentified by the local authorities responsible for their bodies.”***

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The Database was made available online<sup>4</sup> as soon as it was completed to provide public access for research and humanitarian purposes alike. This is only a first step in a five year project based at the Vrije Universiteit Amsterdam, which is investigating a broad range of questions concerning border policies and migrant mortality along EU borders<sup>5</sup>.

This paper gives an initial presentation of the Database and relates it to existing media-sourced databases. In addition, this paper presents two significant findings which emerged during the compilation of the Database: that the majority of migrants whose bodies are found remain unidentified by the local authorities responsible for their bodies, and that, with further analysis, the data could reveal trends in migrant mortality that may be used to evaluate the effect of different trends in migration and border policy. The Database is thus relevant for EU policy in two respects: (1) identification of deceased migrants, and (2) evidence-based policy-making in the area of unauthorised migration across external borders. This paper will conclude that improvements in these two respects can be best achieved by establishing a European Migrant Death Observatory for as long as preventing unauthorised migration remains a priority policy at the external borders of the EU.

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<sup>3</sup> ‘The Fatal Policies of Fortress Europe’ (UNITED Against Racism, 2015) <[unitedagainstreugeedeaths.eu/](http://unitedagainstreugeedeaths.eu/)> (accessed 14 December 2015); Gabriele del Grande, ‘Un cimitero chiamato Mediterraneo’ (Fortress Europe Blogspot, 30 June 2014) <[fortresseurope.blogspot.nl/](http://fortresseurope.blogspot.nl/)> (accessed 14 December 2015); The Migrant Files; ‘Missing Migrants Project’ (IOM, 11 December 2015) <[missingmigrants.iom.int/](http://missingmigrants.iom.int/)> (accessed 14 December 2015)

<sup>4</sup> [www.borderdeaths.org](http://www.borderdeaths.org)

<sup>5</sup> [www.rechten.vu.nl/nl/organisatie/bureau/staats-en-bestuursrecht/spijkerboer-t-p/vici/index.asp](http://www.rechten.vu.nl/nl/organisatie/bureau/staats-en-bestuursrecht/spijkerboer-t-p/vici/index.asp)

## 2. Methodology

This section presents a brief outline of the methods used in collecting data for and compiling the Deaths at the Borders Database. The website offers a slightly more detailed version;<sup>6</sup> a fully detailed analysis of the methodology will be published in 2016.

The Deaths at the Borders Database was conceptualized and designed as a single comprehensive database, and thus a Common Methodology was developed, comprising of:

- a set of tools (codebook, database template, and logbook to record data collection);
- a working definition of a 'border death' to guide the researchers in which death certificates to collect; and
- a step-by-step manual (*Instructions for Field Researchers*) for collecting data from archives using the codebook and completing data entry in a standardized database template.

The 12 field researchers were trained in this Common Methodology and closely supervised by the authors throughout the process of data collection to ensure that data was collected in a uniform way across all five countries.

The Deaths at the Borders Database is sourced from the state death management systems of Spain, Gibraltar, Italy, Malta and Greece. The term death management system is used here to encompass the actors, infrastructure, procedures and regulations involved when a dead body is found, recovered, investigated, recorded and buried. Death management systems leave a bureaucratic paper trail which provides information about who died, when, where and how they died, and what became of their bodies.

The primary reference document used to access the information gathered by death management systems in southern EU countries were death certificates, after pilot studies in all countries demonstrated that in general they are the most reliable and accessible document issues in the management of a dead body. A death certificate is the official, public record of a person's death<sup>7</sup>, and provides legal proof of death for the purposes of inheritance, remarriage, child custody, ancestry and – as a general rule – burial. Death certificates are made and archived by civil registries (*stato civile* in Italy, *registro civil* in Spain, *public registry* in Malta and Gibraltar, and *ληξιαρχεία* (*lixiarcheía*) in Greece).

There were circumstances in which other documents such as coroner's reports, coast guard and police reports, burial permits and judicial orders, were made available to the

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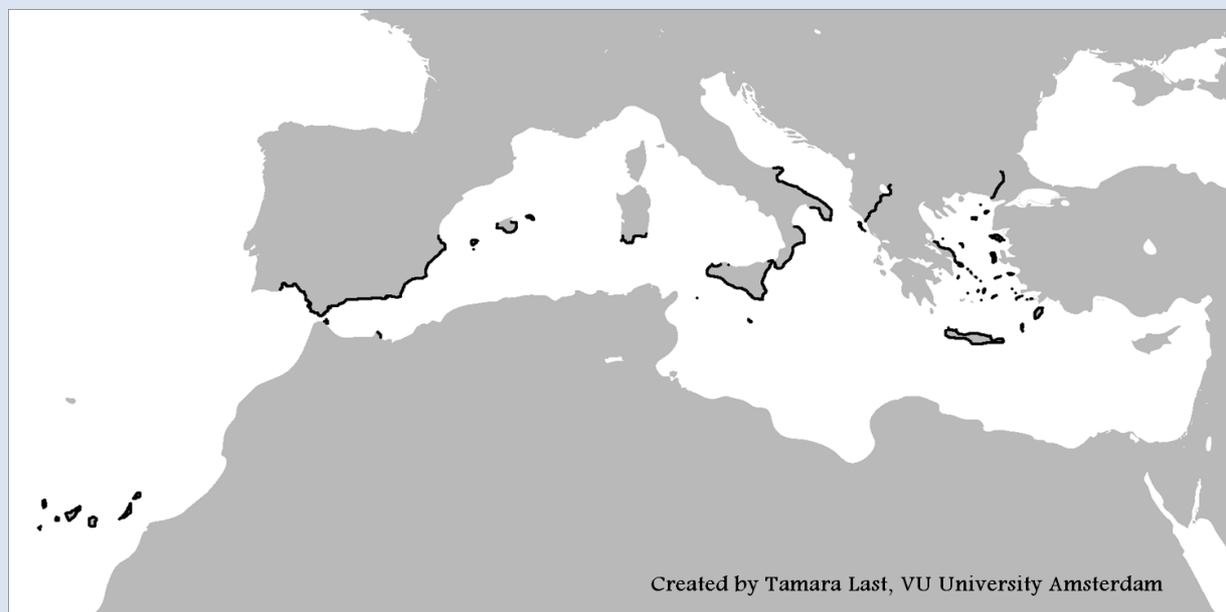
<sup>6</sup> [www.borderdeaths.org/?page\\_id=7](http://www.borderdeaths.org/?page_id=7)

<sup>7</sup> Death is one of the three 'vital events' of a person's life registered by local state authorities since the second half of the 19<sup>th</sup> century. The other 'vital events' are birth and marriage.

research or sought out to supplement information obtained from death certificates. In particular, in Spain, *legajos* (a document issued by the court of first instance overseeing the investigation into judicial deaths) were searched in most registries to record cause of death; and in the Sicilian province of Agrigento, Italy, cemetery registers were comprehensively searched after the civil registration system alone was found to be an insufficient source in this province. Care was taken to ensure that the information for each entry in the Database can be traced to its original official source(s).

In the end, death registries and other local authorities' archives were searched in 563 municipalities in Spain, Gibraltar, Italy, Malta and Greece (see Figure 1) between April 2014 and February 2015. Together these areas were identified through pilot studies as encompassing all locations within the southern EU Member States where migrants have arrived by crossing an external border without authorization as well as possible areas where dead bodies may be brought to the territory by the sea.

Figure 1: Map representing where data was collected for the Deaths at the Borders Database



Upon completion of data collection, all cases collected were reviewed to (a) check the data recorded against the copies of original documents, wherever possible; (b) to determine whether each case fits within the project's definition of a border death; and (c) to determine the degree of certainty that each case was a border death. For this latter aim, a set of common criteria was developed and used on all national datasets to classify

cases under three categories: *confirmed* border deaths, *likely* border deaths, and *possible* border deaths. Any case that did not fall under any of these categories were excluded from the database.

### **3. Overview of the Database**

The Deaths at the Borders Database for the Southern EU records 3188 people found dead and recorded by local authorities in Greece, Malta, Italy, Gibraltar and Spain from 1/1/1990 to 31/12/2013.

Graph 1 shows the number of deaths along the southern EU borders over time and the country where the bodies were brought or found. As can be seen, there has been an overall increase in the 2000s as compared with the 1990s, but the numbers fluctuate from year to year. The sharp increase in 2013 is due to the shipwreck of the 3<sup>rd</sup> of October 2013 very close to Lampedusa (Italy), which – due to its close proximity to the island and the national and international attention the incident attracted – triggered a massive operation to recover bodies from the water and the sea floor. Such large-scale operations involving national authorities in order to actively recover bodies are not common with regard to incidents involving migrants at sea or in crossing land borders; usually only a few bodies are found and many more may remain missing.

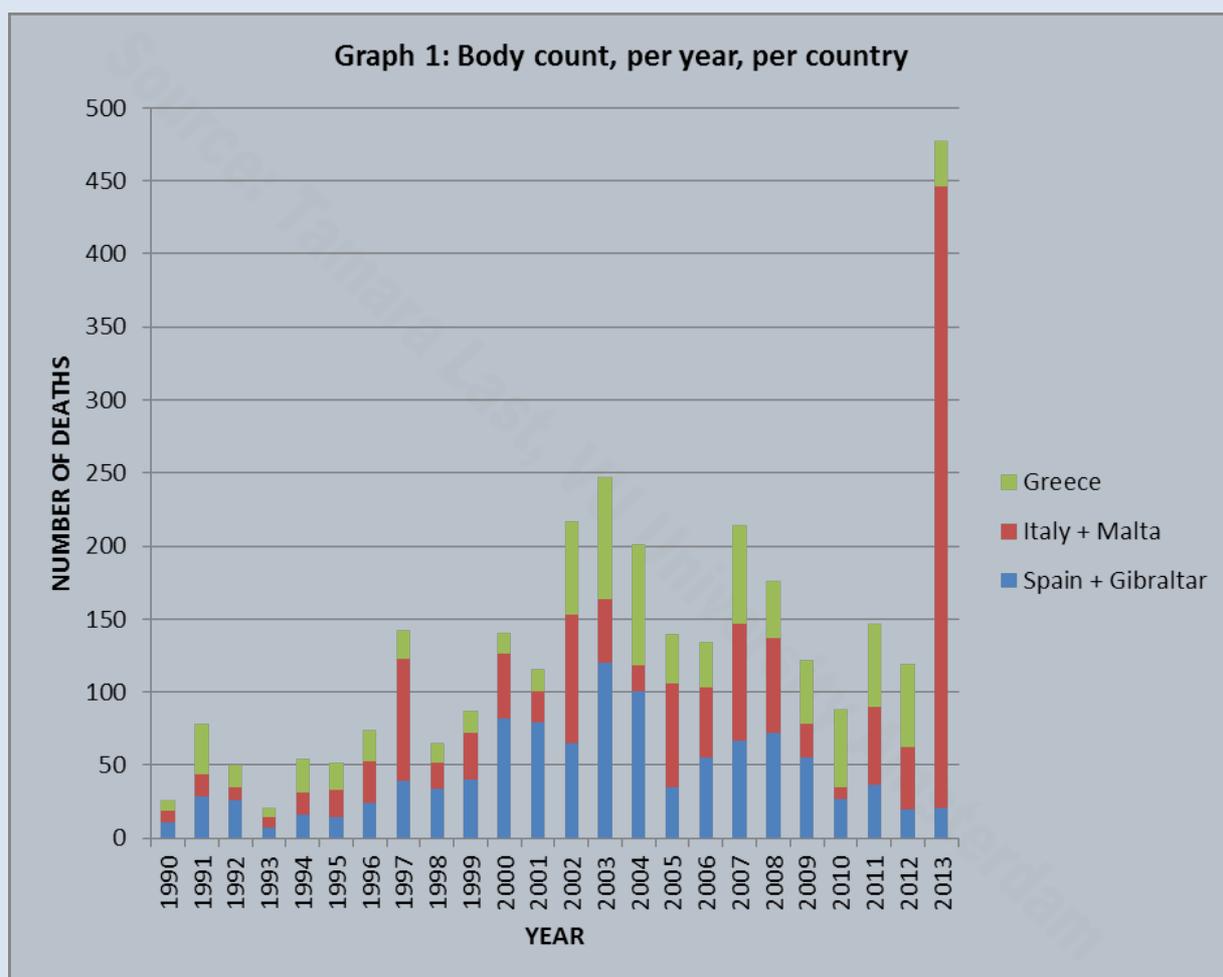


Table 1 provides an overview of the population in the Database by sex, origin, age and cause of death. For the purposes of this overview, where the sex was missing from the records of identified persons<sup>8</sup> and the gender of the given name was easily apparent, the sex was added; confirmed nationalities were combined with assumed origins based on place of birth or estimated race/ethnicity, and categorized under 5 regions (North Africa, Sub-Saharan Africa, Middle East, Asia and the Balkans); the average of the estimated age range was used; and causes of death were grouped into 5 categories (drowning, dehydration, hypothermia, injuries, and other causes). For each characteristic – sex, origin, age and cause of death, Table 1 includes only those persons for whom that information is available (as shown by the n-value next to the count).

<sup>8</sup> The forms used for death records vary from country to country, and sometimes there is no space provided to write the sex of the deceased individual. However, in some places, death records are incomplete and do not contain such information even though there is a designated space provided. Why death records are not always completed is outside the scope of this research.

<b>Table 1: Population characteristics of the Deaths at the Borders Database for Southern EU, N=3188</b>		
<b>Sex (known)</b>		
Male	2292	85,05%
Female	403	14,95%
Total	2695	100%
<b>Origin (known or guessed)</b>		
North African <sup>9</sup>	566	30,58%
Sub-Saharan African <sup>10</sup>	774	41,82%
Middle East <sup>11</sup>	158	8,54%
Asia <sup>12</sup>	197	10,64%
Balkan <sup>13</sup>	156	8,43%
Total	1851	100%
<b>Age (known or estimated)</b>		
Under 10	70	3,27%
10 to 19 years	192	8,98%
20 to 29 years	1243	58,14%
30 to 39 years	466	21,80%
40 to 49 years	116	5,43%
50 years and over	51	2,39%
Total	2138	100%
<b>Cause of death (known)</b>		
Drowning <sup>14</sup>	1934	79,59%
Dehydration <sup>15</sup>	67	2,76%
Hypothermia <sup>16</sup>	138	5,68%
Injuries <sup>17</sup>	108	4,44%
Other causes	183	7,53%
Total	2430	100%

<sup>9</sup> Includes: Morocco, Algeria, Tunisia, Libya, Egypt, and variations of 'North African', 'Arab', 'Maghreb'

<sup>10</sup> Includes: Senegal, Mali, Nigeria, Guinea Conakry, Cameroon, Ghana, Cote d'Ivoire, Gambia, Burkina Faso, Guinea Bissau, Sierra Leone, Zimbabwe, Mauritania, Angola, Congo, Comoros, Liberia, Sudan, Somalia, Eritrea, Ethiopia, and variations of 'African', 'black'

<sup>11</sup> Includes: Iran, Iraq, Syria, Kurdish/Kurdistan, Turkey, Palestine

<sup>12</sup> Includes: India, Afghanistan, Pakistan, Bangladesh, Sri Lanka, Georgia, and variations of 'Asian'

<sup>13</sup> Includes: Albania, Romania, Bulgaria, Yugoslavia, Kosovo, Macedonia, Bosnia-Herzegovina

<sup>14</sup> Includes: drowning, presumed drowning

<sup>15</sup> Includes: dehydration, starvation

<sup>16</sup> Includes: hypothermia, presumed hypothermia, heart attack from immersion in cold water

<sup>17</sup> Includes: acute traumatic brain injury, cranial fracture, crushed, head injuries, head trauma, heavy injuries to the thorax, car accidents, train accidents, injuries from falling, injuries to head and torso, internal bleeding, mine explosion, presumed mine explosion, multiple injuries, polytrauma, shot, trauma, traumatic brain injury

As Table 1 shows, the majority (85%) of persons recorded in the Database (for whom sex is known) are male. By far the most common known or assumed region of origin is Sub-Saharan Africa (which includes countries in the Horn of Africa). However, it is important to note that for more than one third (41%) of all cases recorded by the Database, the region of origin is unknown and could not be guessed. Border deaths occur most frequently among young adults between 20-40 years of age; this age group accounts for 80% of cases where the age was known or estimated, and it is likely many of the unknown cases are within this age group as well. The cause of death of the majority (80%) of people for whom this information was known or presumed, is drowning, in the sea or in the Evros River.

### 3.1 Comparison with existing data

Graph 2 compares the deaths recorded in the Deaths at the Borders Database for Southern EU with the lists of border deaths created by UNITED Against Racism and Fortress Europe blog by tracking reported deaths in the news media. UNITED and the Fortress Europe blog work with a broader interpretation of 'border death' than the Deaths at the Borders Database, including, for instance, people who died in detention centers or attempting to cross the Channel from France to the UK. Therefore, for the purposes of Graph 2, the UNITED and Fortress Europe lists were adjusted for the period 1993<sup>18</sup>-2013 to fit a common definition of 'border death' with the Deaths at the Borders Database (namely, people who have died attempting to enter the southern EU Member States without authorization). Tamara Last and Thomas Spijkerboer present a comparative description of available data on border deaths in the Mediterranean in their contribution to IOM's 2014 Fatal Journeys report (Last & Spijkerboer 2014). We conclude that while the UNITED and Fortress Europe blog lists are invaluable resources for public awareness and research in this area, one of the values of the Deaths at the Borders Database is that the source (the death management systems of southern EU Member States) remains constant and, in general, more accurate on the details than the media.

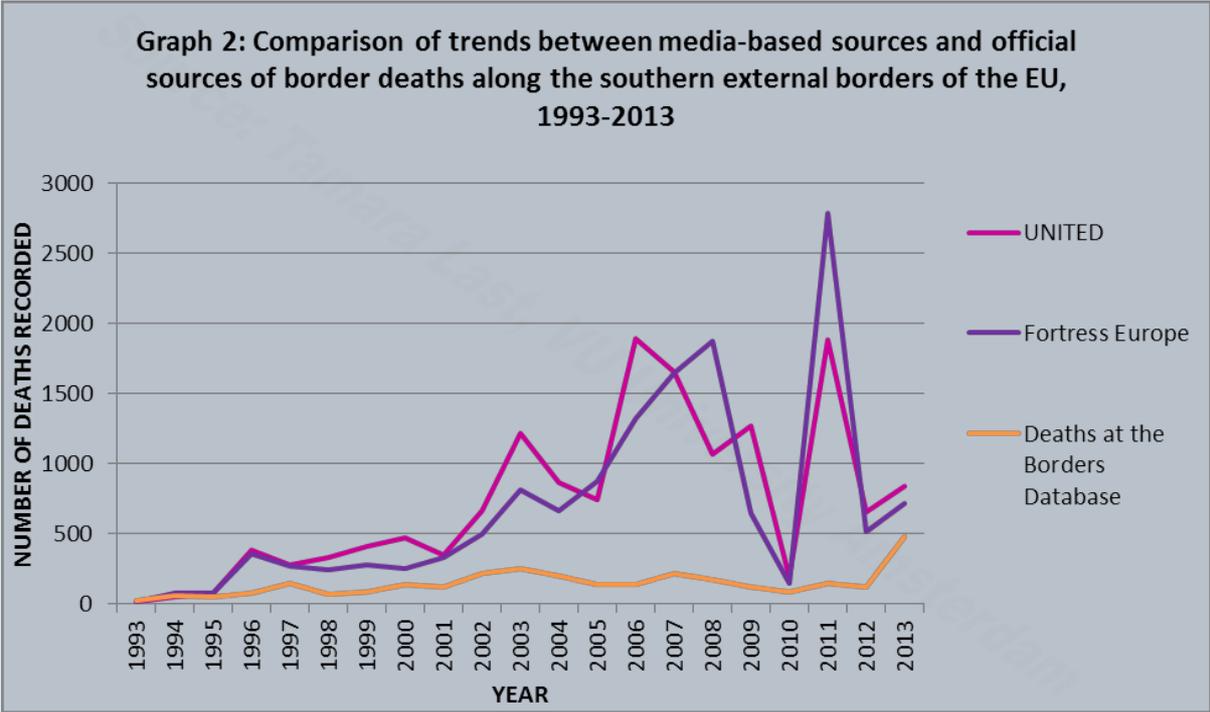
The much higher total numbers of the UNITED and Fortress Europe lists are due to the fact that the Deaths at the Borders Database only records a death when the body was found by European authorities. However, each of the three resources contains cases that have not been recorded by the others and vary in the degree of information available about the cases they have in common. In general, UNITED and Fortress Europe focus on the *incidents* (eg shipwrecks), whereas the Deaths at the Borders Database focuses on the *individuals* who died in such incidents and whose bodies were recovered.

Graph 2 shows starkly different trends, however: while Fortress Europe and UNITED lists demonstrate a sharp increase in deaths over the period 1993-2013, the Deaths at

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<sup>18</sup> UNITED's List of Deaths starts in 1993.

the Borders Database shows that the numbers of bodies recovered has increased in the 2000s as compared to the 1990s, but more gradually. The dramatic drop in deaths reported by the media in 2010 is not mirrored by the number of bodies found in our research. Whereas the media-sourced databases suggest that 2011 was the most lethal year in the period covered, the deaths at the Borders database show that the number of bodies found in 2011 was below that in 2003 as well as below that in 2013. Further analysis is underway to assess the extent to which these differences can be explained by fluctuating media attention to the issue.



**4. Identification**

Perhaps the most glaring initial finding of the Deaths at the Borders Database is the fact that almost two thirds (2073 people, 65%) of the people recorded have not been identified by the local authorities charged with investigating their deaths.

Table 2 provides an overview of the sex, age, origin and cause of death of the identified and unidentified. Where characteristics such as age and origin have been found in death records of unidentified persons, these are based on the estimates of the local authorities involved in the management of the body. It is usually a pathologist who estimates the age, whereas it might be the pathologist or a coast guard or policeman who guess the origin, based on the nationality of survivors from the same boat, for example. There is quite some data missing for identified persons, which illustrates the inconsistencies in the data recorded in death certificates in some places, sometimes only for migrants.

As Table 2 shows, identification is lowest among people of presumed Sub-Saharan African origin. It may be expected that identification is easier among people who come from countries that neighbour the EU (North Africa, the Balkans, the Middle East), due to

the proximity of family members and closer community and official ties. However, the identification rate for Sub-Saharan Africans is low even compared to the identification rate among Asians. This difference cannot be explained by geographical distance, because both these regions are located far away from the Mediterranean. The difference might be related to the quality of the data; an alternative explanation that has to be explored is the influence of racial stereotypes. Of course, it must be noted that among the unidentified, these origins are only guessed, based on the testimony or known origin of travel companions or on the colour of their skin and their features.

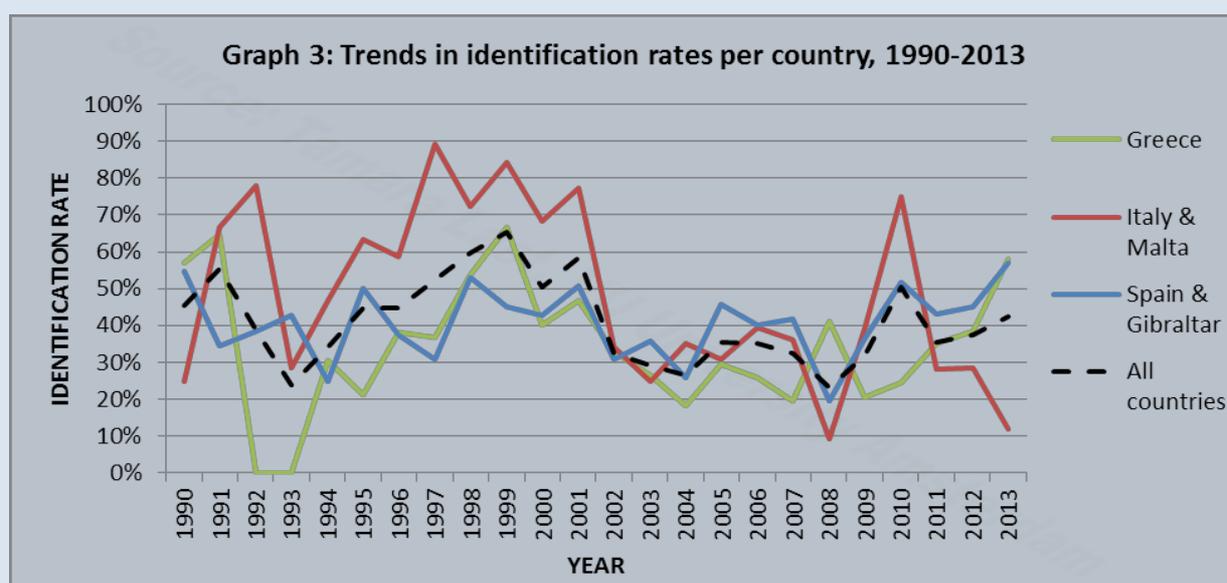
Children as well as people over the age of 40 are marginally more likely to be identified than the majority of people who die, who are between the ages of 20-40. One possible explanation may be because children and older adults are more likely to travel with relatives who – if they themselves survive the journey – would be available to the local authorities to aid with identification.

**Table 2: Characteristics of unidentified and identified persons recorded in the Deaths at the Borders Database for Southern EU (N=3188)**

<b>Sex</b>	<b>Total Count</b>	<b>Unidentified Count (n=2073)</b>	<b>Identified Count (n=1115)</b>	<b>% Identified</b>
male	2292	1480	812	35,43%
female	403	280	123	30,52%
unknown	493	313	180	36,51%
<b>Origin</b>				
North African	566	117	449	79,33%
Sub-Saharan African	774	613	161	20,80%
Middle East	158	44	114	72,15%
Asia	197	104	93	47,21%
Balkan	156	9	147	94,23%
unknown	1337	1186	151	11,29%
<b>Age</b>				
Under 10	70	32	38	54,29%
10 to 19 years	192	88	104	54,17%
20 to 29 years	1243	698	545	43,85%
30 to 39 years	466	253	213	45,71%
40 to 49 years	116	49	67	57,76%
50 years and over	51	19	32	62,75%
unknown	1050	934	116	11,05%
<b>Cause of death</b>				
Drowning	1934	1360	574	29,68%
Dehydration	67	53	14	20,90%

Hypothermia	138	105	33	23,91%
Injuries	108	53	55	50,93%
Other causes	183	106	77	42,08%
Unknown	758	396	362	48,00%

Graph 3 shows identification rates in different countries over time. There has been an overall decline in identification rates since 2000. This may be due to the higher numbers of bodies that local authorities have to deal with as observed in Graph 1. The reduction in identification rates may also reflect shifts in the people who attempt to cross the external EU borders without authorization (for example, less people originating from neighbouring countries), or an increased indifference to the phenomenon among local officials and their national counterparts. The presence of migrant solidarity networks, activists or NGOs who struggle on behalf of families to find missing persons and identify those who are found may make a difference, but not in a way that can be easily measured and compared between regions without understanding the other location-specific factors in play such as degree of decomposition. Certainly, the reasons for the extremely low identification rates among border deaths are complex and require further investigation (see Last, 2016 forthcoming).



#### 4.1 Identifying more deceased migrants

The Deaths at the Borders Database for the Southern EU shows that the percentage of migrants who are identified varies in time and place. Information we gathered while collecting the death records suggests that this variation is related to three things:

1. Coincidence. There may be survivors who know exactly who the dead person was, because they were relatives or friends. And sometimes the dead carried documents making it possible to establish their identity. If such survivors or documents are lacking, it is much harder to identify people.

2. Lack of know-how and resources. With the exception of large-scale incidents like the shipwreck of 3 October 2013 near Lampedusa, local authorities are left to their own devices to deal with the dead. In many places they lack the expertise, networks and resources that could increase the chances of identification.
3. Lack of interest. Investigations into deaths sometimes do not even attempt to establish the identity of the deceased when they are thought to be “just” a migrant. While local officials may have once done everything they could, in places where there are new bodies every year officials may suffer from compassion fatigue and a general belief that identification is impossible or pointless. A lack of interest from national and European authorities may contribute to this problem.

Identifying the dead recognises their human dignity and acknowledges them as individuals, with life stories, a family and friends. Identification is crucial for families as well. Identification and notification of death may provide emotional relief for grieving relatives, and relief from legal practicalities such as inheritance, remarriage and child custody (for which death of a person must be formally established). States have obligations to respect the dead under international human rights and humanitarian law (Grant 2011) and striving to identify the dead is arguably the starting point for fulfilling such obligations. Otherwise, how would it be possible to notify family members or respect their religious or personal beliefs for burial purposes?

The number of identified migrants can be increased first of all by making the effort. This need not be expensive. The following practical steps would be a good start:

- Enforce national regulations and judicial/forensic procedures for investigating unnatural deaths. Ensure that they are properly applied in cases of border deaths.
- Develop and refine standard procedures for migrant deaths based on local best practices. To this end, the Deaths at the Borders Database provides a tool for evaluating the impact of different practices on identification rates.
- Convince local authorities of the importance of identification and, where necessary, provide support through existing national authorities such as Disaster Victims Identification (DVI) units.
- Cooperate with the National Societies and International Committee of the Red Cross, with migrant communities, and with international and non-governmental organisations who have the expertise and networks necessary for identification. Cooperation should include establishing effective channels of communication between different actors involved, and appropriate and efficient procedures for the exchange of ante-mortem and post-mortem data.

Bodies can end up far from the place at which the person tried to cross the border, and their families are not always aware of exactly where they try to cross. Relatives play a vital role in identification because they provide the ante mortem data which can be matched with the post mortem data retrieved from the body. Thus, in order to make

these steps effective, it is important that information is gathered at a *central* European point, which relatives can approach in confidence. This way, organisations such as local NGOs, the Red Cross or IOM, or individual activists, who are approached by families searching for their loved ones – as happens now – have an institution to refer them to or to request/submit information on their behalf, and where all official information is made available for identification purposes. Presently, a wealth of information is available but it requires going from one municipality to the other to access it.

### **5. Relation with migration and border policies**

The creation of the Deaths at the Borders Database for Southern EU is a first step in researching the relationship between migrant mortality and European border policies.<sup>19</sup> Graph 4 is an example illustrating why the relationship between migrant mortality and European border policies is worth exploring.

Graph 4 shows the trends in body counts on a selection of different routes. The graph illustrates how the number of deaths on one route seems to reduce around the same time that they increase on a different route. For example, look at the relation between the Western Mediterranean route and the Atlantic route in 2004 (deaths in the Western Mediterranean drop as deaths reach their peak on the Atlantic route), and again from 2010-2011 (deaths in the Western Mediterranean begin to climb as deaths in the Atlantic drop close to 0). Another example is the relation between the Turkey-Greece land and sea borders: in 2011 the number of deaths in the Aegean drops dramatically and rises at the Turkey-Greece land border. More generally, Graph 4 shows that in the 1990s and early 2000s deaths were occurring most frequently on the Western Mediterranean route, but for the period 2005-2008 and since 2011 there have been more bodies found in the Central Mediterranean.

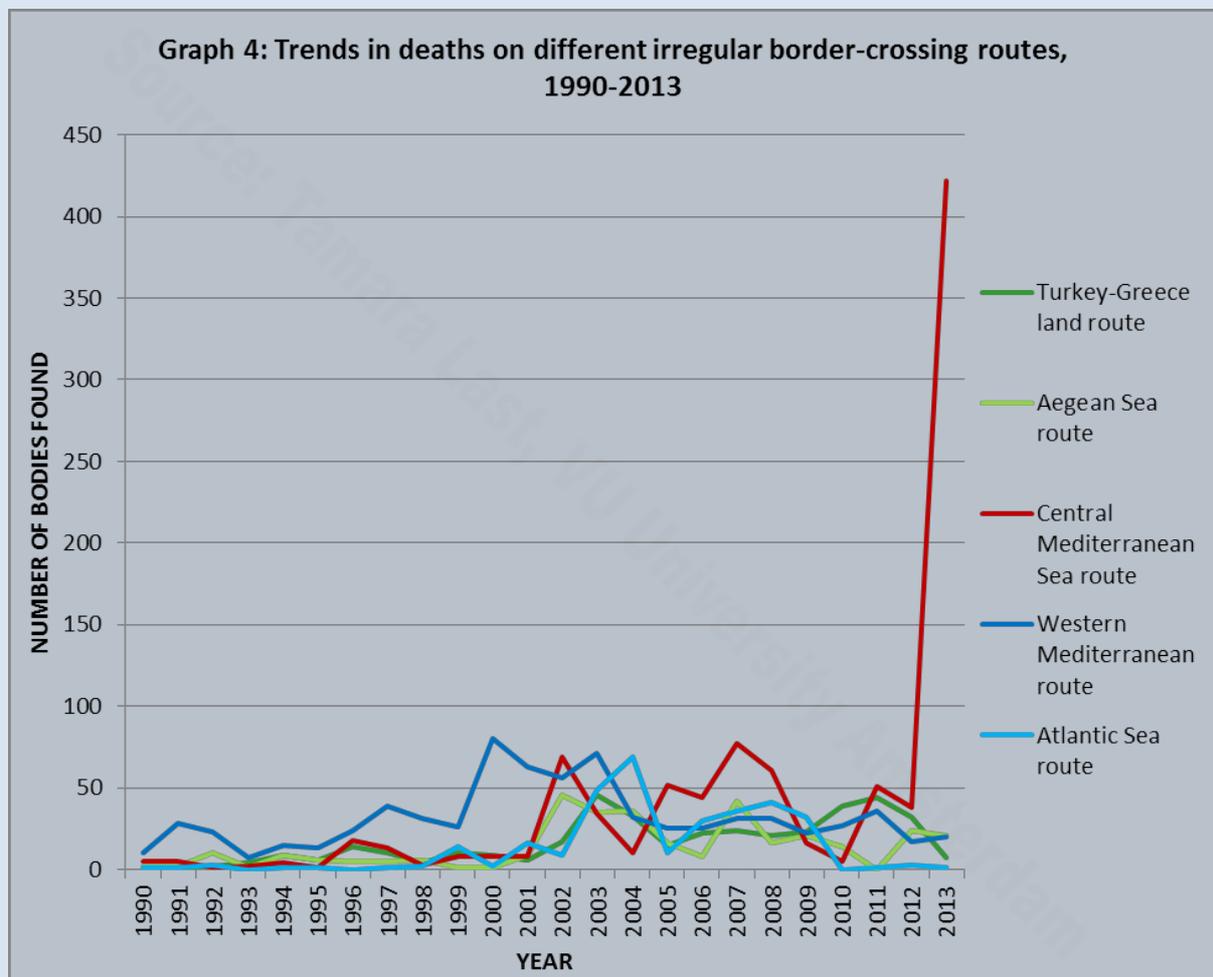
These observations are very preliminary, but point towards an already common hypothesis that border control diverts migrants and border deaths, rather than preventing them altogether. The next step in Tamara Last's research is to determine the significance and nature of these hypothesized relations by calculating reliable mortality rates per route per year. Are some routes more dangerous than others? Has the risk of death increased or decreased over time, and what has been the influence of European migration and border policies and practices? As Graph 2 above also indicates, there are many aspects of the phenomenon that we do not yet understand, starting with an accurate estimate of how many people have died.

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<sup>19</sup> This is the subject of Tamara Last's PhD research, see [www.borderdeaths.org/?page\\_id=20](http://www.borderdeaths.org/?page_id=20).

*“Policy decisions are presently being driven by politics rather than facts. It is necessary for European policy-makers to begin a process of evidence-based policy-making in an area which affects the lives of countless people.”*

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### 5.1 From tunnel vision to evidence-based policy-making

Many observers have pointed out that the steady increase of unauthorised migration across the EU's external borders since 1990 (and thereby border deaths) coincides with

the harmonization of European migration policies which, as part of harmonization, have become much stricter towards certain groups (Albahari 2006; Spijkerboer 2007; Carling 2007; Kiza 2008; Weber 2010; Weber & Pickering 2011; Klepp 2011; Last 2014; de Haas et al 2014). There may well be a relationship between the two.

For example: we see a shift in border deaths from the Western Mediterranean route to the Canary Islands (Atlantic route) around 2004, and subsequently to the Strait of Sicily (Central Mediterranean route) in 2011. The first shift has been attributed to increased cooperation between Spain and Morocco (Carling 2007), while the second shift appears to fit chronologically with the blocking of the Atlantic route in 2007-2009 through FRONTEX operation Hera and the successful expansion of the SIVE surveillance system (the Spanish predecessor of EUROSUR). Comparable is the shift between Greek/Turkish land border and North Aegean in 2011, which could be related to the activities of Frontex operation Poseidon and the militarisation and construction of a fence at the Greek-Turkish land border. Of course, this is a simplified interpretation, the reality is far more complex; for instance, the Tunisian revolution and Libyan war played major roles in triggering boat migration across the Strait of Sicily in 2011. However, the point is that data on deaths seems to reflect the hypothesis that border control does not stop migration altogether but simply diverts it elsewhere. Thomas Spijkerboer (2007) calls this the “waterbed effect”, Charles Heller and Lorenzo Pezzani (2013) call it “splintering”, and Leanne Weber (2010) refers to it as “the geographical displacement effect”. In short, intensification of border control along one route may simply divert migrants to other, possibly riskier routes and methods of crossing the border, resulting in more deaths (Weinzierl & Lisson 2007, Kiza 2008, Klepp 2011, Grant 2011).

In response to what are labelled as the ‘tragedies’ at sea which took place in recent months and years, the EU decided to intensify current restrictive migration policies. For example, the conclusions of the 23 April 2015 EU summit<sup>20</sup> focus on fighting traffickers and preventing illegal immigration. The main aim remains suppressing unauthorised international mobility. But there is a considerable risk that, by making migration more difficult, migrants become even more dependent on smugglers who resort to boats of ever worse quality. Thus, inadvertently, EU policies may boost the market for smugglers and put more lives at risk.

The primary aim of FRONTEX operations Triton and Poseidon (the budgets for which were tripled in April 2015, returning to the level of the Italian Navy operation Mare Nostrum in the period October 2013 - October 2014) and now of EUNAVFOR Med (Operation Sophia) is border control. Rescuing boat migrants is an issue *also* to be addressed, but the operational priority remains the same: prevent illegal migration, smuggling and trafficking. Thus, policy-makers have simply intensified existing policies

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<sup>20</sup> ‘Special meeting of the European Council, 23 April 2015 – statement’ (Council of the European Union, 24 April 2015) <[www.consilium.europa.eu/en/press/press-releases/2015/04/23-special-euco-statement/](http://www.consilium.europa.eu/en/press/press-releases/2015/04/23-special-euco-statement/)>

without stopping first to ask what the effects of these policies, and the measures taken to fulfil them, have been. The intensification of policies because of their lack of success is an example of tunnel vision. Are there reasons to believe that these policies will achieve the aims this time? And what has been changed in order to reduce or remove the unintended side-effects, such as the loss of lives? The answers to questions such as these should be based on evidence about almost three decades of migration and border policies. But policy decisions are presently being driven by politics rather than facts. It is necessary for European policy-makers to begin a process of evidence-based policy-making in an area which affects the lives of countless people.

The Deaths at the Borders Database can be an important part of evidence-based policy-making, in combination with other data on deaths (such as the lists compiled by UNITED Against Racism and the Fortress Europe blog), data on migration policies and the determinants of international migration (for example, research of the DEMIG project of Oxford University's International Migration Institute<sup>21</sup>), data on the volume of unauthorised migration (such as apprehension data), and data on smuggling (for example, research of the Migration and Border Management project of the Danish Institute of International Studies<sup>22</sup>). Although the Database is only complete until the end of 2013, it has proved that such important information (1) exists, and (2) can be collected. We therefore invite European states to continue data collection on border deaths from the point at which the Deaths at the Borders Database stops (1/1/2014-present), in order to be able to assess the factual impact of policies and policy changes since 2013.

## **6. The need for a European migrant death observatory**

The conclusion we have drawn from the preliminary findings of the Deaths at the Borders Database and their policy implications, is the need for an observatory that tracks migrant deaths in Europe. Local authorities trying to identify the bodies of dead migrants, and families searching for their loved ones, as well as the many organisations and individuals trying to help, need an appropriate and mandated office to turn to. And evidence-based policies require accurate data to be collected and analysed using a holistic and longitudinal approach by an independent office which could properly evaluate the effects (intended and unintended) of past and current EU policy, to inform future policy decisions.

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<sup>21</sup> [www.imi.ox.ac.uk/projects/demig](http://www.imi.ox.ac.uk/projects/demig)

<sup>22</sup> [www.diis.dk/en/emne/migration-and-border-management](http://www.diis.dk/en/emne/migration-and-border-management)

The observatory should operate at a European level because these needs could not be satisfactorily met at a regional or national level. Firstly, migration routes in different regions and countries are related, so policies directed at preventing unauthorised, unwanted migration must take an encompassing European approach to stand a chance at success. Secondly, individual migrants' routes can change and their bodies may end up in places their families would not search, so to maximise the chances of identification, all available ante-mortem and post-mortem information needs to be centralised. Thirdly, one responsible office is more likely to result in consistent procedures, data collection and analysis. Fourthly, discovery and exchange of best practices on recording deaths and on identification benefits from maximising the number of actors (and their localities) involved. Finally, direct cooperation between local authorities of different countries requires an alternative to the usual nationalised model. Such an observatory would preferably be hosted by the Council of Europe because of its larger geographical scope

***“Policies directed at preventing unauthorised, unwanted migration must take an encompassing European approach to stand a chance at success.”***

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(consisting of 47 Member States as opposed to the EU's 28 Member States), and because it has extensive experience with the supervision of human rights practices.

The observatory could use a very similar methodology to that of the Deaths at the Borders Database to collect data from 1/1/2014 (the date on which the Database ends). The task would be made far easier by the fact that death registration in Spain, Italy, Malta and Greece has now been digitalised and are accessible at the national (Spain, Greece, Malta) or regional (Italy) levels.

The preliminary findings of the Deaths at the Borders Database suggest that identification is a serious problem among those who die attempting to cross the external borders of the EU without authorisation, and that it is necessary to examine the intended and unintended effects before intensifying existing migration and border control policies. The establishment of a European migrant death observatory, mandated to collect and analyse data on border deaths, would be best placed to take steps to resolve these two issues. It would help to improve identification rates by providing a centralised platform for the matching of ante-mortem (reports of missing persons by families) and post-mortem (reports of bodies found) data. And it would provide much-needed resources for evidence-based policy-making in the field of migration and border control.

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