Report on the workshop

Clarifying the fate and whereabouts of missing migrants: Exchanging information along migratory routes

15–16 May 2019, Antigua, Guatemala

Foreword

Addressing the challenge of missing migrants

Every year, millions of people embark on perilous journeys of migration across national borders and even continents, often outside established migratory routes. Many of them disappear along the way or in countries of destination. Efforts to establish the fate and whereabouts of missing migrants face a plethora of problems related, in particular, to the gathering, sharing and analysing of information from their journeys. Difficulties are further compounded by the broad array of actors involved in such efforts, including families of missing persons, civil society, non-governmental and international organizations, and governments.

In order to address these challenges, the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM) and the Argentine Forensic Anthropology Team (EAAF) co-organized an expert meeting in Antigua, Guatemala on 15 and 16 May 2019.

More than 60 participants from 40 countries compared their respective situations, exchanged experiences and examined ways to improve current practices. While acknowledging successful efforts, in particular in Central America, the meeting highlighted the challenges faced by families of missing migrants and the overall lack of coordination and standards as a key obstacle to a more effective response.

At the end of the meeting, three main recommendations were agreed:
– to develop a set of principles governing interaction between families and other stakeholders based on a family-centred approach and in the context of a multi-stakeholder model
– to define core information to be included in two types of data sets (basic and comprehensive)
– to develop principles and protocols for a multi-stakeholder mechanism to clarify the fate and whereabouts of missing migrants, taking into account existing principles on data sharing and protection.

This report summarizes the discussions and conclusions of the Antigua meeting. It constitutes the first step of a process to draft and disseminate concrete technical recommendations on these topics in close consultation with the wider community of practice.

It is our hope that this joint effort will lead to greater and more effective collaboration among all those involved in clarifying the fate and whereabouts of missing migrants.

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I. Background

The tragedy of thousands[1] of migrants[2] who die or go missing[3] along migratory routes poses unique new challenges in terms of both prevention and resolution, including some that are unforeseen and inadequately addressed by existing mechanisms, standards and practices. The problem of missing migrants is an exceptionally difficult one given the transnational nature of migration, which involves complex, constantly evolving routes that at times diverge from established pathways.

In recent years, the issue of migration has been receiving increasing attention from various stakeholders, including IGOs, NGOs, governments, academia and other civil society actors. Informed by their respective perspectives and fields of action, they have been analysing and providing responses to this humanitarian tragedy.

One such initiative is being carried out by the _Argentine Forensic Anthropology Team_ (EAAF). In 2009, the EAAF, working with committees of families of missing migrants, NGOs and governmental institutions from the countries that sit along the migrant corridor connecting Central America, Mexico and the USA, launched the Proyecto Frontera (Border Project) in an effort to identify migrants who have gone missing in Central America, Mexico or at the border between Mexico and the USA. The main objective of this project is to help set up a regional mechanism to improve the exchange of information on missing migrants and unidentified remains along this corridor. Data on missing migrants are collected, verified and catalogued so that they can be cross-referenced with forensic data on unidentified remains recovered by forensic institutions in both transit and destination countries. This led to the creation of forensic databases in Central America and Mexico, with the participation of the respective ministries of foreign affairs, civil society organizations, forensic institutions and committees of families of missing migrants. These databases include information – sometimes provided by family members – on the circumstances surrounding the disappearance, along with ante-mortem information on the missing individuals. They also hold genetic information, such as that obtained from DNA samples, provided by relatives.[4] This pioneering project highlights a number of challenges that arise when collecting, sharing and cross-referencing data on missing migrants. It also underscores the pressing need to find innovative solutions to these challenges.

On 22–23 November 2013, the International Committee of the Red Cross (ICRC), in cooperation with the Forensic Sciences Department of the University of Milan and the Italian Red Cross, organized a conference in Milan on the "Management and Identification of Unidentified Decedents, with an Emphasis on Dead Migrants: the Experience of European Mediterranean Countries". One of the main challenges identified at the conference was the ability to obtain information and share it between various agencies and key stakeholders whose focus is on preventing migrants from going missing and then on establishing their fate and whereabouts if they do. Conference attendees recognized the need to identify best practices and explore the idea of developing standards and protocols for collecting and sharing information on missing migrants.

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1   According to the International Organization for Migration, at least 75,000 people have died since 1996 while migrating (32,000 since 2014). These data represent lower estimates: the total number of missing or deceased migrants is likely to be much higher. More accurate figures are impossible to come by, however, because many cases are not reported and, more broadly, because of the extraordinary difficulty in gathering accurate information and data.

2   In this report, the term "migrants" encompasses people of any nationality, along with stateless persons, who leave or flee their place of usual residence, temporarily or permanently, for a variety of reasons, including to seek better prospects or safety, and who may be in distress and in need of protection or humanitarian assistance. Migrants may be workers, students or foreigners whose status is deemed irregular by the public authorities. The term also covers refugees and asylum seekers.

3   In this report, the term "missing" is used in the broad meaning applied by the ICRC, including all persons whose whereabouts are unknown to their rel tives and / or who, on the basis of reliable information, have been reported missing as a result of an armed conflict – international or non-international – or of other situations of violence, disasters or any other situation that may require action by a neutral and independent body. Missing persons may include victims of enforced disappearance or other crimes.

4   As of 30 June 2019, Proyecto Frontera had documented 1,353 cases of missing migrants, the majority of whom were from Central America and Mexico. Proyecto Frontera also collected and genetically processed 3,585 blood samples from their relatives. To date, 200 of the 1,353 missing migrants have been identified through Proyecto Frontera.

In January 2014, the International Organization for Migration (IOM) launched the _Missing Migrants Project_ in order to keep track of cases of migrants dying or going missing along mixed migration routes worldwide. This project, which highlights the global scale of the tragedy, provides publicly accessible figures and data. As part of the project, a series of four volumes entitled Fatal Journeys was published. Each volume focuses on a different topic: tracking lives lost during migration, identifying and tracking dead and missing migrants, improving data on missing migrants, and dealing with missing migrant children.

The four volumes also contain recommendations on the key tasks of collecting, cataloguing, storing, tracing and sharing data. Part I and Part II of the third volume, published in 2017, emphasize the need to standardize data collection and data sharing among the various groups involved and to promote data collection efforts led by civil society groups and families of the missing. While enhancing the visibility of this issue, the project also confirms just how difficult it is to collect reliable data on missing or dead migrants along migratory routes, to verify the data and to exchange data securely.[5]

On 29–30 October 2015, the ICRC, together with the Spanish Red Cross and the Centro para la Cooperación en el Mediterraneo, held a second conference on the management and identification of unidentified decedents, in Barcelona, with an emphasis on dead migrants in European Mediterranean countries. The issue of data collection and data sharing was once again singled out as crucial to responding effectively to the tragedy of missing migrants. The need to explore the feasibility of a standard-setting exercise on these subjects was also reaffirmed.

After 2016, the number of initiatives related in some way to missing migrants grew considerably. In 2017, two groundbreaking reports were published: _Enforced Disappearance in the Context of Migration_,[6] by the UN Working Group on Enforced or Involuntary Disappearances, and _Unlawful Death of Refugees and Migrants_,[7] by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. In October of the same year, the ICRC published a policy paper[8] containing recommendations to policymakers on missing migrants and their families. These three documents reiterate the urgent need to improve the process of collecting and sharing information on missing migrants. The ICRC's recommendations emphasize the importance of standardizing how information about missing migrants and dead bodies is collected and processed, establishing a clear humanitarian roadmap for cooperation at the national and transnational levels, including with families.

In 2018, the ICRC launched a broad _Missing Persons Project_ aimed at improving the global response to the issue of missing persons in general – but applicable to the context of migration as well – by creating a community of practice, identifying best practices and setting technical standards.

In May 2018, experts from around the world gathered in Greece at a meeting organized by the NGO Last Rights. They adopted the _Mytilini Declaration for the Dignified Treatment of All Missing and Deceased Persons and their Families as a Consequence of Migrant Journeys_,[9] which highlights the crucial importance of data collection and data sharing and contains recommendations.

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5   Between 2014 and 2018, the IOM's Missing Migrants Project recorded more than 30,000 deaths around the world. This figure is likely to be much lower than the actual number of deaths, since many bodies are never found or identified. For a more extensive discussion of methodological challenges in recording cases of people who die or go missing during migration, please see "Text Box 1. Methodological challenges", in International Organization for Migration, _Fatal Journeys_, International Organization for Migration, Geneva, 2017, Vol. 3, Part I, p. 3.

6   United Nations, _Report of the Working Group on Enforced or Involuntary Disappearances on enforced disappearances in the context of migration_, A/HRC/36/39/Add.2, UN, Geneva, 28 July 2017.

7   United Nations, _Unlawful death of refugees and migrants_, United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, A/72/335, UN, Geneva, 15 August 2017.

8   ICRC, _Missing Migrants and their Families_, ICRC, Geneva, August 2017.

9   _Mytilini Declaration for the Dignified Treatment of All Missing and Deceased Persons and their Families as a Consequence of Migrant Journeys_, Mytilini (Greece), 11 May 2018.

In 2018, the United Nations Committee on Enforced Disappearances launched a process that culminated on 16 April 2019 with the adoption of the *Guiding Principles for the Search for Disappeared Persons*.[10] Principle 9 concerns the search for disappeared migrants and stresses the importance of taking into account the unique nature of their situation when designing public policies and strategies to search for them.

The aforementioned initiatives differ in their nature, aims and working methods, yet they all recognize that gathering, preserving, processing and exchanging data and information are crucial when it comes to clarifying the fate and whereabouts of missing migrants and putting an end to their families' suffering. Various stakeholders have indeed emphasized the need to identify best practices and develop technical standards in these matters.

This need is also reflected in Objective 8 of the *Global Compact for Safe, Orderly and Regular Migration*,[11] which calls for coordinated international efforts on missing migrants, including the "standardized collection and exchange of relevant information".

Mauricio Caceres/ICRC

10   United Nations, *Guiding Principles for the Search for Disappeared Persons*, CED/C/7, UN, Geneva, 8 May 2019.
11   United Nations, *Global Compact for Safe, Orderly and Regular Migration*, A/RES/73/195, UN, Geneva, 19 December 2018.
      This resolution was adopted by 164 States in the UN General Assembly.

II. The workshop: Organizers, participants and purpose

ICRC

It was against this backdrop that the ICRC, the IOM and the EAAF co-organized a workshop aimed at (i) identifying existing and emerging best practices for obtaining, preserving, processing and exchanging information that can help to clarify the fate and whereabouts of missing migrants and support their families, and (ii) identifying areas in need of improved guidance and technical standards.

The workshop, "Clarifying the Fate and Whereabouts of Missing Migrants: Exchanging Information along Migratory Routes", was held on 15 and 16 May 2019 in Antigua, Guatemala. It brought together more than 40 participants, including representatives of missing migrants and of family associations; representatives of NGOs from the Americas, Europe, Asia and Africa; representatives of international organizations, government institutions and national search mechanisms; and independent experts.

In keeping with the key issues identified at previous events and addressed by the aforementioned projects and initiatives, the workshop focussed on the topics of data collection and the exchange of information, where the aim is to clarify the fate and whereabouts of missing migrants. The workshop was divided into four thematic sessions:
- Information for a purpose
- Type of data and information collected
- Families and information
- Data sharing.

The workshop opened with a plenary session, which was followed by the four thematic sessions. Each thematic session began with an expert presentation, after which the participants broke into four discussion groups. At the end of every session, each group summarized its discussion for all participants.

While it is impossible to convey the nuance and detail of the discussions, this workshop report is designed to capture their substantive content and present it in such a way as to provide a useful foundation going forward.

Although there were four thematic sessions, the first one, "Information for a purpose", was general in nature and touched upon a number of issues that were further analysed and discussed in the subsequent three sessions. For this reason, this report will focus on those three sessions ("Type of data and information collected", "Families and information" and "Data sharing"), while bringing in relevant observations made during the first session.

Finally, it should be stressed that participants unanimously agreed that the discussions in all four sessions should take the gender and child perspectives into account. It was noted that where women and children are concerned, either because they go missing or because they are related to a migrant who goes missing, they face additional gender- or age-specific challenges. The participants agreed that this must be considered crucial and should be reflected in any technical standard concerning the gathering, analysing and sharing of information on missing migrants so as to ensure the standard's effectiveness.

A. Families and information

José Cendon/ICRC

Families of missing migrants are at the forefront of the search for their loved ones and play a crucial role in collecting and providing critical information to that end.

Referring mostly to the collection and provision of, and access to, information, the discussions focussed on:
- practical barriers encountered by families
- the risks of traumatization and re-victimization
- measures needed to build trust and make the process empowering.

Most of the practical barriers identified by the participants are common to families of missing migrants across the globe and are exacerbated by the transnational scope of this issue. These barriers include the difficulty in accessing information held in another country (compounded by the cost of travel and the need for visas); bureaucratic, administrative and linguistic barriers; racist, discriminatory and xenophobic attitudes towards migrants and their families; a lack of knowledge or access to legal support, and fear that collected data may be used for purposes other than the search for the missing person. Simply identifying the competent authority or institution and the process to be followed to seek information on a missing relative can prove difficult. The lack of effective regional systems to cross-reference data on missing migrants and unidentified remains thought to correspond or found in key migrant corridors is an additional obstacle. Moreover, all the discussion groups noted that the lack of trust between families and State authorities was a major problem.

When missing migrants actually lose their lives along the route, the work of recovering and identifying their bodies is often jeopardized by poor forensic practices, such as storing bodies in mass graves or unmarked burial sites. This problem is widespread and can be further complicated by geographical factors (e.g. the sea, desert, mountain passes and rivers).

In many country and regions, the families of missing migrants form associations or committees. But this is not true everywhere, and some families may be isolated. Participants agreed that the latter scenario worsens the families' ordeal. Its unique features would require further study.

In view of the aforementioned barriers, the participants broadly agreed that it was crucial for the families to participate in all stages of the process of gathering, analysing and sharing information on their missing loved ones, even though this was a very demanding request and an additional source of stress on top of their existing anguish and suffering. It is therefore essential to minimize the risks of traumatization and secondary victimization. On the other hand, members of committees and associations of families of missing migrants noted that being able to proactively participate in the search for their loved ones and share their experience with people in a similar situation can help alleviate their suffering and prevent feelings of debasement or even severe depression.

In this regard, despite certain limitations, the work done by the Forensic Commission, the Investigative Unit on Crimes against Migrants and the External Mechanism of Support for Search and Investigation in Mexico were cited as good practices. These mechanisms were created upon the initiative of families of missing migrants (mostly from Central America) and civil society organizations.[12] Families and NGOs played a role in designing the mechanisms and participate actively in their work, including by sitting on the board of some of these mechanisms (e.g. Forensic Commission). This participative process and the mixed nature of the institutions proved crucial in terms of building trust, facilitating the gathering, analysis and sharing of information, and minimizing cases of traumatization and secondary victimization.

The aforementioned Proyecto Frontera was also identified as a best practice, given the leading role played by families in the design of the initiative and its mixed composition, with families sitting on the board. The _Servicio Médico Legal_ in Chile was also cited as a positive example, as families there are represented on the board of a State-led institution. This sort of cooperation can increase families' trust in the system and in the overall process.

The participants agreed that, where mixed mechanisms did not exist or did not function properly, other institutions, including the ICRC, could play a crucial role in bridging the gap and overcoming the lack of trust that families – and sometimes NGOs and civil society organizations more broadly – have in State authorities. Arrangements in the state of Texas under which NGOs are serving as intermediaries between families and government authorities in order to obtain information on persons held in detention centres were considered an effective example of this type of interaction, as they often led to clarification of the fate of missing migrants.

Capacity-building and training programmes for families, including programmes to inform them about their rights and to support family collectives and associations and their efforts to mobilize at the local level, have also proven effective in terms of empowering and allowing families to take the lead in the process of gathering, analysing and sharing information on missing relatives. Programmes set up by the ICRC with families in Lebanon, Honduras, El Salvador and Guatemala were mentioned as best practices. Along these same lines, the work carried out by NGOs in providing legal assistance and psycho-social support to families, translating relevant information and conducting preparatory work prior to interviews or data gathering was cited as a good practice (participants mentioned _Refugees Support Aegean_ in Greece and the _Fundación para la Justicia y el Estado Democrático de Derecho_ in Mexico).

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12   The _Forensic Commission_ was created in August 2013 to identify the mortal remains found in mass graves in connection with three massacres of migrants perpetrated between 2010 and 2012 in northern Mexico and to facilitate their repatriation to their countries of origin in a dignified manner. The agreement setting up the Forensic Commission was signed by the Attorney General's Office of Mexico, the EAAF, committees of families of missing migrants, and NGOs from El Salvador, Honduras, Guatemala and Mexico. The Forensic Commission has a mixed composition, in which the Mexican authorities, the EAAF, and families of missing migrants actively cooperate with each other. On 16 December 2015, the Office of the Attorney General of the Republic of Mexico approved an _agreement_ establishing the Investigative Unit on Crimes against Migrants and a Mechanism of External Support for Search and Investigation. The latter is meant, through the use of consular and diplomatic channels, to allow families of missing migrants to have access to, and be in communication with, those administrative, judicial and social-support authorities in Mexico that are involved in the search for their loved ones, directly from their respective countries of residence.

The desired participative approach was summed up by the phrase "nothing without the family". Family participation, considered a prerequisite for building trust, should be based on the following principles: prior informed consent; transparency; "do no harm"; dignity; regular feedback (where appropriate, through the creation of national or regional focal points, and, where available – such as in Central America – consular cooperation networks); psycho-social support (for which professionals must receive appropriate training); and legal, forensic and financial assistance tailored to the evolving situation and needs, throughout the process. Participants emphasized that the process should be empowering for families, and that a patronizing attitude must be avoided at all times. Families must thus be viewed and treated as right-holders.

With regard to prior informed consent, it was emphasized that, although the concept itself is clear, the challenge of guaranteeing it throughout the process and the corresponding implications required further study and would benefit from additional clarification.

Participants highlighted the importance of paying special attention to security risks, ensuring that families had access to effective protection measures. It was noted that the transnational scope of the issue posed exceptional challenges in this regard that require innovative responses.

Finally, participants emphasized that professionals must be trained to thoroughly explain the content of multi-disciplinary identification reports not only to governmental officials, but also to the relatives of the deceased, especially when the information to be delivered concerned forensic matters (including autopsy reports, DNA analysis, etc.). The message must be conveyed in a language they understand, in a clear and empathetic manner, and in "protected and safe spaces". A copy of the report identifying the missing migrant must also be provided to the family. Participants felt that the creation of multi-disciplinary teams – including forensic experts, for example, as well as psychological and legal experts – to perform this task would be highly desirable. The work of the Forensic Commission in Mexico and that of the EAAF, and the protocols developed in connection with their work, were mentioned as best practices.

KEY FINDINGS

Families encounter numerous obstacles when it comes to collecting and accessing information on missing migrants. Bureaucratic, practical, linguistic, administrative and legal barriers exist around the world, as do stigmatization, discrimination and criminalization. Other barriers are more context-specific (such as when migrants are reported missing at sea).

The whole process of gathering, analysing and sharing information must be guided by a family-centred approach.

This means that it is crucial to allow families to participate in the process and to build trust in other stakeholders that are actively involved. International organizations and NGOs can play a crucial role in bridging the gap between families and State institutions and in empowering families through capacity-building and assistance programmes (in which families see themselves as right-holders).

The multi-stakeholder model, where families, governments and international and non-governmental organizations get involved and are able to cooperate to a certain extent, was considered most effective.

Full compliance with the principles of prior informed consent, transparency, "do no harm" and regular feedback is essential to avoid re-victimization.

Professionals working with families must be adequately trained to communicate information, including forensic-related matters, in a clear and empathetic manner and in safe spaces. Multi-disciplinary teams are especially well-suited for such purposes.

B.   Types of data and information collected

The lack of information on missing migrants obscures the magnitude of the tragedy and hinders the development of effective responses. Two types of data are required: situational data, to quantify the problem, identify trends, assess risks and formulate prevention strategies, and individual or incident-related data, to improve case resolution (which includes locating and / or identifying the missing person) and to provide appropriate support to families of the missing. Data can come from a multitude of sources and regions and can be used for different purposes, such as clarifying the fate and whereabouts of a missing person, supporting the families, documenting crimes against migrants, communication / advocacy, designing public policies and establishing forensic databanks. For most of these purposes, the data are likely to overlap. In their discussions, the participants focused on:

– the type of data that needed to be collected
– data sources and the various stakeholders involved in data collection
– a baseline of shared features among data sets.

The discussion groups agreed that existing data on missing migrants were extremely fragmented and held by a variety of stakeholders. This fragmentation, at the national, regional and international levels, often creates insurmountable barriers in the sharing and analysis of information. Moreover, some databases may be incomplete or obsolete, and there are currently no effective mechanisms for facilitating the exchange of data among the actors involved.

The participants agreed on the crucial importance of data collection, while ensuring data minimization – in part to avoid re-victimizing families – and guaranteeing that the information obtained was used only for the given purpose. If the purpose changes over time, as may happen, the data subject must be duly informed and provide his or her consent. Participants emphasized the importance of ensuring that information was collected in a humane and dignified manner and in a safe space. Measures must also be taken to verify the quality of data. For these reasons, people involved in data collection would benefit from training.

In general, missing persons must not be automatically assumed to be dead. When collecting and analysing relevant data and information, this approach disregards the fact that missing migrants may actually be alive, and it could jeopardize the search process. Reducing missing migrants to a death count is misleading and overlooks the plight of the families left behind. Dealing with missing persons as such rather than automatically presuming their death also reflects the families' struggle to establish the actual fate and whereabouts of their loved ones and makes it possible to better identify the kind of data that need to be collected.

Various stakeholders (such as State institutions, police and prosecutors, consulates and embassies, ministries of foreign affairs, NGOs, IGOs, family associations, shelters and the media) can be involved in collecting data from different sources (including families, witnesses, smugglers, survivors, shelters, activists and accompanying persons).

This multitude of stakeholders and sources is unavoidable and may lead to duplication and overlapping data. However, efforts to better coordinate stakeholders and parallel initiatives have proven effective.

The experience of the _Jesuit Migrant Service_ in Mexico was referred to by many participants as a positive example, especially with regard to the coordination of data collection along migratory routes. On the border between Mexico and the USA, the creation of hotlines[13] for the families of missing migrants and, more broadly, coordination efforts between NGOs and the county sheriff[14] were cited as good practices. Another positive experience in the participants' view was the forensic database created in Honduras as part of the Proyecto Frontera, which entailed the cooperation of the Ministry of Foreign Affairs, families of missing migrants, civil society organizations and the EAAF.

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13   There are various _hotlines_, depending on where the missing migrant is likely to have crossed the US border from Mexico.
14   Notable in this regard are the experiences of the **_South Texas Human Rights Center_** and of the _Colibrí Center for Human Rights_.

It was emphasized that in situations where only State authorities were involved in collecting information, a lack of trust was often a major obstacle. Along these lines, some participants noted that national institutions in charge of searching for missing persons, including migrants, often experienced difficulties in obtaining relevant data collected by civil society organizations, most likely due to a lack of trust. To overcome these hurdles, one suggestion was to establish an "independent observatory" with an active investigative role that could facilitate the gathering and exchange of data and information collected by various stakeholders. One discussion group explored the idea of entrusting the ICRC with such a role, and the participants seemed to agree that this option was worth further consideration and study.

In light of the above, all participants stressed the desirability of harmonizing the forms used to collect data, insofar as possible, in order to make them compatible and facilitate data sharing. Two types of data sets can be identified. First there is the basic set, which is crucial in the first stages after a migrant is reported missing. It contains the main characteristics of the missing person, including the missing person's full name, ID number, date of birth, photo, basic physical information, family contact data and the circumstances under which he or she disappeared. The content of the second, more comprehensive, data set would depend on the actual purposes for which the data were being collected. It could include data and samples relevant for forensic purposes, and the full clinical story of the missing migrant.

In their discussions, the participants also mentioned the importance of developing data collection standards to apply when mortal remains that were likely to pertain to missing migrants were found. In this regard, the _work done by the medical examiner in Pima County, Arizona_, in conjunction with civil society organizations was cited as a good practice. The same is true of _Operation ID_, a project run by the Forensic Anthropology Center at Texas State University to make it easier to identify and repatriate unidentified human remains found along or close to the South Texas border. That project is based on community outreach, scientific analysis and collaboration with the public authorities and NGOs.

In anticipation of interoperable databases, the inclusion of both "common" and "reserved" data fields was mentioned as an effective measure. The example of the _NamUS_ database was cited, as it included some public data and some data that could only be accessed by authorized users. It was noted, however, that entering data on non-US citizens presented some challenges.

The forms used in Colombia by the Missing Persons Search Unit and recently adopted by the Mexican National Search Commission for Missing Persons were referred to as best practices. Participants also mentioned the _form used by the UN Committee on Enforced Disappearances to request "urgent action"_, highlighting that when the notion of enforced disappearance came into play, collecting information on the activities (e.g. professional or political) carried out by the victim was extremely important.

Participants agreed that the forms used to collect data should reflect certain context-related specificities, such as regions where names are often spelled in different ways, situations in which the names of the missing person's father and mother must be included, and places where two or more languages were commonly used. Measures must be taken to minimize spelling mistakes and vague data.

Similarly, there was consensus among the participants that the rationale behind which data to include in a form must be transparent and well-grounded. Moreover, the collected data should be available in a timely manner and kept up to date.

It was mentioned that there had already been attempts to single out data collection principles (e.g. the _International Commission on Missing Persons in cooperation with the European Union_ and the draft guidelines of the Regional Conference on Migration[15]), but most participants confirmed the need for further harmonization among the different data collection formats. Creating a map and inventory of existing forms was identified as a necessary first step.

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15   For more on this ongoing initiative, see Section II.C) below.

Finally, participants highlighted the importance of producing accurate statistical data on missing migrants for broader purposes, such as for communication and advocacy efforts directed at the general public, States and the media and for influencing public policies. Participants emphasized how important data was to show the magnitude of the issue, because the lack of accurate data on the number of missing or deceased migrants only reinforced the invisibility of the tragedy and overlooked the plight of the families left behind. So far, there have been almost no attempts to determine the actual number of relatives affected by the death and disappearance of migrants. This situation results in governments around the world underestimating the toll of unsafe migration. Improving the data collection process is therefore also crucial to bolstering the evidence needed to support the development of humane migration policies.

To avoid the risk of oversimplification, misinterpretation and dehumanization, awareness-raising campaigns are also needed. Participants emphasized the importance of creating strategic alliances and networking with journalists, artists, professors and schools; mention was also made of entering into agreements with authorities, such as ministries of education. This work should reflect the transnational dimension of migration as much as possible.

There was broad agreement on the desirability of conducting a standard-setting exercise on the type of data and information to be collected, the procedures to be followed and the corresponding guarantees to be put in place. Some participants observed that, once this had been done, the outcomes should be reflected in domestic legislation. The drafting of a model law on these subjects was mentioned as a possible output. It was nevertheless agreed that this proposal would require further study, bearing in mind the large number of subjects to be covered and the need to deal appropriately with the problems that may arise, since individual cases could fall under different jurisdictions.

KEY FINDINGS

In addition to the need for prior informed consent, data collection must be guided by the principles of economy and minimization (ensuring that only required data are collected) and the guarantee that the information obtained will be used solely for the given purpose.

Information must be collected, to the extent possible, from multiple sources (e.g. families, witnesses, survivors, social media, official agencies and the press). The process must be carried out in a humane and dignified manner, at the same time trying to ensure that the information collected is highly reliable. Capacity-building and training for staff involved in these procedures are highly advisable.

Coordination and cooperation among the various stakeholders involved in data collection should be enhanced. The mixed or multi-stakeholder model appears to be most appropriate.

Two types of data sets should be collected: a basic set, containing core information on the missing person and the circumstances under which he or she went missing, and a more comprehensive set whose contents would depend on the actual purposes for which the data are being collected. The rationale for requesting certain data on a form must be transparent.

Harmonizing the forms and methodology used to gather data and information is advisable, and databases should have certain common, open-access fields alongside restricted-access fields. Forms should also request context-related specificities.

C.   Data sharing

Obtaining data on missing migrants and sharing it effectively across borders and continents among numerous stakeholders that may be pursuing different aims is a critical challenge. Technical, legal, political and other barriers often stand in the way of efficient information exchange. The participants' discussions focussed on:
– how extensive the interaction among different data sets should be, and which firewalls should be kept in place
– the feasibility of standardized protocols for the exchange of information along migratory routes
– data protection needs and applicable standards in this regard.

Participants agreed on the crucial importance of enhancing the exchange of data and information among stakeholders both at the national and international levels. Bearing in mind that in some situations databases may not even exist or may be riddled with gaps, almost all discussion groups identified coordination between databases at the national and regional level as crucial. One option proposed was to develop national open databases of missing migrants, with different access levels, which would be connected to regional databases at a later date.

It may never be possible to fully centralize data collection, and there are doubts about whether it is even desirable, especially for reasons of data protection and security. Yet centralizing data analysis is considered beneficial, and interoperability among databases is unanimously regarded as advisable. In general, standardized processes help ensure that all available data are used in the search for missing migrants.

However, robust guarantees must be put in place to ensure data subject control as well as legal, physical and operational data protection. Data sharing between governmental institutions and civil society is crucial, yet it is troublesome given the lack of both trust and sufficient guarantees on the actual use of the information and data in question.

This means that certain firewalls must be kept. Participants agreed that the transnational dimension of this issue posed formidable challenges in this regard and would require innovative responses. One sensible option that was mentioned was to design and create an overarching mechanism that connects different institutions involved in the search for missing migrants across borders.

Many participants highlighted the importance of establishing a system that allowed basic information to be shared while restricting access to more sensitive data for specific cases and purposes (the "onion layer approach"). It was noted that certain data could be coded more easily, such as DNA samples, thus simplifying the sharing process, whereas some sensitive personal information on missing persons thought to be alive had to be handled much more carefully.

The aforementioned Proyecto Frontera was cited as a best practice in terms of successful data sharing, although it revealed some of the difficulties of sharing forensic information across national borders. The United Nations Office for the Coordination of Humanitarian Affairs was also mentioned as an excellent example in the area of cluster data sharing and governance.

Another positive example is the Regional Conference on Migration.[16] Its member countries, with the support of the ICRC and the IOM, are currently preparing a document called Regional Guidelines on Coordination and Information Exchange Mechanisms in the Search for Missing Persons in the Context of Migration.[17]

Another example of how States can enter into effective agreements to cooperate and exchange information among themselves while still enforcing data protection standards is the 2005 _Prüm Convention_. Although this agreement was designed to improve the exchange of information in

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[16]   The Regional Conference on Migration has 11 member countries. Those actively involved in the process are Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua and Panama.

[17]   The process of preparing the Regional Guidelines was launched in 2018 and is ongoing. The main aim of the guidelines is to establish and define models for cooperation and information exchange on missing migrants between States. The guidelines should ideally apply in various situations, in order to facilitate the work of institutions and authorities dealing with the matter and to improve families' access to information about the search for their missing relatives.

combating terrorism, cross-border crime and illegal migration, some of the rules it sets out could apply in the context of missing migrants.

In the area of data protection, the 2017 ICRC *Handbook on Data Protection in Humanitarian Action* was cited as a reference work that could also be useful in the context of missing migrants, together with resolutions of the Council of Europe, the Convention for the Protection of Individuals with regard to the Processing of Personal Data and, where applicable, national data protection legislation. In general, participants emphasized the importance of ensuring that families were fully informed from the outset about the potential security risks of providing information. Similarly, families – and anyone who provides information in general – must be informed of their rights relating to their data (including the right to consult, amend and withdraw data), and the question of data ownership must be clearly defined. The participants felt it would be desirable to establish accountability mechanisms in order to sanction breaches of data protection rules.

On a different note, an issue that emerged in almost all discussion groups was that some entities could be legally compelled to disclose information, which would undermine their reliability when it came to data protection. This matter calls for further study.

In general, participants agreed that while certain standards (especially on data protection) already existed and could be used when it comes to data concerning missing migrants, it would be desirable to design and develop further protocols, especially on data sharing (within the same country and among two or more States, as well as among different stakeholders). Such protocols should be regional in nature, and they should take into account context-related specificities where needed. All participants flagged the need to adopt – in addition to standardized protocols – bilateral, regional or international agreements on data sharing and data protection. It would be advisable to map out best practices and gaps in this regard.

A proposal put forward at the end of the event was to position mixed or multi-stakeholder centres at the national level as the "entry point", where information and data were collected for multiple purposes (e.g. tracing missing migrants, providing support to families, promoting accountability and improving the evidence base). There could be a second level of international data sharing, regulated through separate bilateral or regional agreements, in which the exchange of information would be for purely humanitarian purposes and, more specifically, for establishing the fate and whereabouts of missing migrants. This option drew the interest of many participants, but it was agreed that it would require further study and discussion.

KEY FINDINGS

While it would be neither feasible nor advisable to fully centralize data on missing migrants, enhanced data sharing (nationally, internationally and among stakeholders) would be highly desirable. Effective trust-building measures are required for information to flow freely between State institutions and civil society organizations.

Data sharing could be facilitated through interoperable databases on the basis of bilateral, regional or international agreements among the various stakeholders involved.

In the area of data sharing, it is essential to take stock of existing principles and then adapt them for the context of missing migrants.

Firewalls are needed for security reasons. While certain types of information can be readily shared, others must be subject to restricted access. Moreover, families must be fully informed from the outset of the potential security risks and of their rights in connection with the data provided (including their right to consult, amend or withdraw data).

Robust guarantees must be put in place to ensure data subject control as well as legal, physical and operational data protection.

III. Main conclusions and way forward

The participants welcomed the opportunity offered by the workshop to share best practices and build on previous events and initiatives concerned with collecting, preserving, processing and exchanging information on missing migrants. The workshop confirmed the desirability of harmonizing and standardizing the way in which information is collected and exchanged so as to facilitate the search for missing migrants and put an end to their families' suffering. The main conclusions can be summarized as follows:

– *The whole process of gathering, analysing and sharing information about missing migrants must be guided by a family-centred approach that emphasizes transparency and inclusivity and avoids further traumatization. It was broadly agreed that the multi-stakeholder model (involving families, international and non-governmental organizations and governments) was the most effective because it created trust and because, in some situations, whether due to a lack of political will or resources, the issue of missing migrants was driven forward by entities other than States.*

– *There should be two types of data sets: a basic set, which includes only core information essential to launch and perform the search for missing migrants, and a more comprehensive data set, whose contents would depend on the actual purpose for which the data are collected (such as to advance the search process; for forensic needs or accountability; to support and assist families; or for policy and advocacy purposes). Data collection must be guided by the principles of economy and prior informed consent and performed in a humane and dignified manner. The information gathered should come from different sources and must be adequately protected.*

– *Data sharing must comply with existing principles and should be facilitated by interoperable databases. It would be advisable to develop protocols and agreements among the different stakeholders involved and at different levels (national, regional and international).*

Based on these conclusions, the participants agreed that it would be desirable to:
– develop a set of principles governing interaction between families and other stakeholders based on a family-centred approach and in the context of a multi-stakeholder model
– come up with technical standards on the core information to be included in the two types of data sets (basic and comprehensive)
– compile existing principles on data sharing and protection and adapt them to the context of a multi-stakeholder model, and identify standards that should be enshrined in protocols and agreements on database interoperability among stakeholders.

During the workshop, some participants highlighted how important it was for national laws to reflect and enshrine best practices in terms of gathering, sharing and analysing information. In this regard, the drafting of a "model law" on the subject was suggested, but only after further discussion and study.

Regarding the way forward, it was suggested that the ICRC, over a 24-month period and as part of the Missing Persons Project, facilitate the drafting of the standards and principles listed above and circulate them among experts to collect their feedback. Workshop participants agreed with this proposal and were willing to remain actively engaged in the process, validating the draft standards and principles and, if needed, participating in additional, smaller-scale thematic meetings.

Annex: List of participants

Isabella Alexander	Emory University	USA
Younous Arbaoui	Plateforme Nationale Protection Migrants	Morocco
Nadia Azougagh Bousnina	Caravana de migrantes	Spain
Nicole Batch	Australian Red Cross	Australia
Syd Bolton	Last Rights Project	United Kingdom
Carmela Bühler	Directorate of Political Affairs, Swiss Federal Department of Foreign Affairs	Switzerland
Eddie Canales	South Texas Human Rights Center	USA
Rebecca Cenalmor-Rejas	United Nations High Commissioner for Refugees	Guatemala
Gabriella Citroni	University of Milano-Bicocca	Italy
Rocío Culebro	Mexican Institute of Human Rights and Democracy	Mexico
Kate Dearden	International Organization for Migration	Germany
Ana Lorena Delgadillo	Fundación para la Justicia y el Estado Democrático de Derecho	Mexico
Paola Diaz	Instituto de Investigación en Ciencias Sociales (Universidad Diego Portales) and Centre for Social Conflict and Cohesion Studies	France
Mercedes Doretti	Argentine Forensic Anthropology Team	USA
Judith Erazo	Equípo de Estudios Comunitarios y Acción Psicosocial	Guatemala
William Espino	Procuraduría para la Defensa de los Derechos Humanos de El Salvador	El Salvador
Maria Clara Galvis Patiño	Committee on Enforced Disappearances	Colombia
Glenda García Lacan	President of the Asociación de Familiares de Migrantes Desaparecidos de Guatemala	Guatemala
Julia Gonzales	Mesa Nacional para las Migraciones	Guatemala
Catriona Jarvis	Last Rights Project	UK
Alessandra La Vaccara	International Commission on Missing Persons	The Netherlands
Etelinda Lopez	Instituto Médico Legal	Honduras
Liza Medrano	Ministry of Foreign Affairs	Honduras
David Morales	International Organization for Migration	Guatemala
Carmen Osorio Solis	Argentine Forensic Anthropology Team	Mexico
Sergio Ovalle	International Organization for Migration	Guatemala
Karla Quintana	Comisión Nacional de Búsqueda	Mexico
Simon Robins	University of York	UK
Deborah Ruiz Verduzco	International Commission on Missing Persons	The Netherlands
Marta Sánchez Dionis	International Organization for Migration	Germany
Rosa Nelly Santos	Comité de Familiares de Migrantes Desaparecidos del Progreso	Honduras
Kate Spradley	Texas State University at San Marcos	USA
Jose Suasnavar	Forensic Anthropology Foundation of Guatemala	Guatemala
Mauro Verzeletti	Casa del Migrante	Guatemala
Eduardo Wolke	Procuraduría de los Derechos Humanos de Guatemala	Guatemala
Morris Tidball-Binz	International Committee of the Red Cross	Switzerland
Allan Alvarez Godoy	International Committee of the Red Cross	Guatemala
Jill Stockwell	International Committee of the Red Cross	Switzerland
Laura De Jong	International Committee of the Red Cross	Belgium
Carmen Delgado Rodriguez	International Committee of the Red Cross	Colombia
Oliver Francis Bush	International Committee of the Red Cross	Panama
Carlos Amezquita	International Committee of the Red Cross	Guatemala
Anton Camen	International Committee of the Red Cross	Mexico

Missing persons
A global response

Hundreds of thousands of people are missing around the world as a result of armed conflict, violence, migration and natural disasters. Some go missing in action, others are forcibly disappeared, and thousands lose contact with their loved ones as they flee fighting or seek a better life elsewhere. Disappearance is a global problem that has devastating and often enduring consequences for families, communities and entire societies.

The ICRC has a long-standing mandate to trace missing persons and reconnect separated families and has built up extensive operational experience in this area over the past 150 years. Convinced of the need for a globally coordinated approach to this tragic situation, the ICRC launched the Missing Persons Global Response in 2018. In partnership with other preeminent institutional actors, this initiative seeks to bring together experts, family representatives and key stakeholders from around the world in order to build consensus on best practices, develop new technical standards where needed and promote relevant existing ones.

The workshop in Antigua was the first of four gatherings planned for 2019, each intended to focus on a different aspect of the issue or a different sub-group of the missing. They are designed to contribute to the aim of the four-year project: to develop better-informed practices and technical standards that will help those actors involved in preventing this tragedy in the first place, finding people who go missing, and supporting their families, in a variety of situations.

The meeting was held under the Chatham House Rule.

Missing Persons
A Global Response

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