

Policy Conclusions

The Deaths at the Borders Database for the Southern EU is relevant for policy-making on two points:

- The data can be used for evidence-based policy-making;
- The data be used for the identification of deceased migrants.

These aims can be best achieved by establishing a European Migrant Death Observatory as part of the Council of Europe.

FROM TUNNEL VISION TO EVIDENCE-BASED POLICY-MAKING	1
IDENTIFYING MORE DECEASED MIGRANTS	2
THE NEED FOR A EUROPEAN MIGRANT DEATH OBSERVATORY	3

FROM TUNNEL VISION TO EVIDENCE-BASED POLICY-MAKING

Many observers have pointed out that the steady increase of border deaths since 1990 coincides with the harmonization of European migration policies which, as part of harmonization, have become much stricter. There may well be a relation between the two.

In addition to such general claims about the relation between European migration policies and border deaths, more specific assumptions have been put forward. 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 2010-2011. This may well be related to the increased cooperation between Spain and Morocco (as well as other African countries). Frontex operation Hera, and the development of the SIVE surveillance system (the Spanish predecessor of Eurosur) may also have contributed to this shift. Comparable is the shift between Greek/Turkish land border and North Aegean in 2011, which is possibly related to Frontex operation Poseidon and the construction of a fence at the Greek border. Such shifts may push migrants to riskier travel routes, resulting in more deaths.

In response to what are labelled as the 'tragedies' at sea which took place in recent months and years, the EU has decided to intensify current restrictive migration policies. For example, the [23 April EU summit conclusions](#) include:

- fighting traffickers
- preventing illegal immigration

The main aim is suppressing international mobility. 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 European policies may boost the market for smugglers and put more lives at risk.

It should be noted that the primary aim of Frontex operations Triton and Poseidon (the budget for which was tripled in April, returning to the level of the Italian operation Mare Nostrum in the period October 2013 - October 2014) is border control. Rescuing boat migrants is an issue *also* to be addressed. This intensification of existing policies has occurred without asking the question what the effects of previous measures have been. The intensification of previous migration policies is an example of tunnel vision. Policies do not seem to have achieved their aims. Instead of asking the obvious question whether the policies were suitable to achieve their aim, policies are intensified. But are there reasons to believe that these policies will achieve the aims this time? Or is it more likely that merely the unintended side-effects, such as the loss of lives, will become bigger?

These are factual questions, but policy decisions are being taken without looking at the facts. European policy-makers should stop taking decisions which may affect the lives of countless people while disregarding facts. It is necessary to begin a process of evidence-based policy-making. The death statistics from the Deaths at the Borders database can be an important part of evidence-based policy-making. This database can be used in combination with other data on deaths (such as the lists compiled by [UNITED Against Racism](#) and [Fortress Europe blog](#)); data on migration policies and the determinants of international migration (for example, research of the [Demig](#) project of the Oxford University); data on the volume of irregular migration (such as apprehension data); and data on smuggling (for example, the [Migration and border management project](#) of the Danish Institute of International Studies).

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.

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” irregular migrants. 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.

Identification is important. Identification restores human dignity of the dead by acknowledging them as an individual, with a life story and 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).

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 a standard procedure for migrant deaths based on local best practices. This could include processing and archiving information which is already available, such as SIM cards, identifying features such as tattoos and scars, and DNA samples.
- 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 non-governmental organisations who have the expertise and networks necessary for identification.

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.

THE NEED FOR A EUROPEAN MIGRANT DEATH OBSERVATORY

For the reasons outlined above, we call on European states to create a European Migrant Death Observatory. It is important that data recorded about border deaths are not archived in hundreds of civil registries at the local level, as is presently the case. Even collecting these data at the regional or national level is insufficient, for three reasons:

- Migration routes in different countries are related (for instance, think of the possible shift from Spain to Italy in 2010-2011). Because policies in one European country may have effects in other European countries, policy measures have to be analysed and evaluated at a European level so as to make evidence-based policy-making possible.

12 May 2015

- Relatives of deceased migrants may not be aware where exactly their loved ones have tried to cross the border, or the bodies may have drifted far from the original crossing point. In order to increase the likelihood of identification, it is crucial that migrants' families can turn to one central point in Europe. The [Family Links project of the International Committee of the Red Cross](#) is an obvious partner for this.
- Centralised data collection and processing will ensure consistency in the methodology and analysis.
- Data collection at the European level will make it possible to identify local best practices and develop workable procedures increasing the likelihood of identification.

The European Migrant Death Observatory can best be part of the Council of Europe. The Council of Europe is to be preferred over the European Union as the host organisation for two reasons:

- The Council of Europe has a much larger geographical scope, consisting of 47 Member States, including a crucial country like Turkey (as opposed to the European Union's 28 Member States).
- The Council of Europe has extensive experience with the supervision of human rights practices. Over the past 65 years, it has gathered more experience in that field than any other organisation in Europe.

What data should be collected in the European Migrant Death Observatory?

- Data from death certificates in civil registries should be collected from 1 January 2014 onwards (we have done this for the years 1990-2013). This can be done with relative ease, as civil registries have now been digitalized throughout Southern Europe and are accessible from central points (at the national, regional or provincial levels, depending on the country). At present, digital registers cannot be searched by excluding categories of persons (eg EU nationals), as is necessary for border death research. Consequently, the software of civil registries would have to be adapted. Data should be collected every three months and filtered so as to exclude deaths which are not border deaths, for which [our methodology](#) can serve as a model.
- Data on European border policies and practices should be collected. We will do this for the period 1990-2013 in the next phase of our [research project](#). This can provide a template for data collection from 2014 onwards.